H.R. 15012. August 2, 1976. Judiciary. Authorizes the issuance of a visa to a certain individual notwithstanding membership in a class of excludable aliens under the Immigration and Nationality Act.

H.R. 15013. August 3, 1976. Public Works and Transportation. Amends the Federal Aviation Act of 1958 to require identifying markings on aircraft so as to be readily identifiable by persons on the ground whenever such aircraft is operated at low altitudes.

H.R. 15014. August 3, 1976. Agriculture. Amends the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to make and insure loans under such act for the solar heating or cooling of residential structures on family farms.

H.R. 15015. August 3, 1976. Banking, Currency and Housing. Stipulates that the cost of furnishing water to public organizations for waterfowl conservation purposes in the Grasslands areas of the San Joaquin Valley in California shall be nonreimbursable where specified conditions are satisfied.

H.R. 15016. August 3, 1976. Veterans' Affairs. Authorizes the Administrator of Veterans' Affairs to make loans and loan guarantees to veterans for the purchase of solar heating and cooling systems to be used in any dwelling or farm residence to be owned and occupied by the veteran as his home.

H.R. 15017. August 3, 1976. Education and Labor. Authorizes appropriations for the continuation through fiscal year 1977 of specified grants under the Indian Elementary and Secondary School Assistance Act, the Elementary and Secondary Education Act, and the Adult Education Act.

H.R. 15018. August 3, 1976. Ways and Means. Authorizes any amount received from appropriated funds as a scholarship by a member of a uniformed service who is receiving training under the Armed Forces Health Professions Scholarship Program from an educational institution to be treated as a scholarship, excludable from gross income under the Internal Revenue Code for calendar years 1976, 1977, and 1978.

H.R. 15019. August 3, 1976. Ways and Means. Amends the Tariff Schedules of the United States to limit the importation of mushrooms.

HOUSE JOINT RESOLUTIONS

H.J. Res. 1051. August 23, 1976. Judiciary. Proposes a constitutional amendment to assure that the total outlays of the Government during any fiscal year do not exceed the total receipts of the Government during such fiscal year and that the Federal indebtedness is eliminated.

H.J. Res. 1052. August 23, 1976. Post Office and Civil Service. Designates January 13, 1977 as "Religious Freedom Day."

H.J. Res. 1053. August 24, 1976. Judiciary. Proposes a constitutional amendment to assure that the total outlays of the Government during any fiscal year do not exceed the total receipts of the Government during such fiscal year and that the Federal indebtedness is eliminated.

H.J. Res. 1054. August 24, 1976. Post Office and Civil Service. Designates March 13 to 19, 1977, as "National Community Health Week."

H.J. Res. 1055. August 24, 1976. Post Office and Civil Service. Designates March 13 to 19, 1977, as "National Community Health Week."

H.J. Res. 1056. August 24, 1976. Post Office and Civil Service. Designates the third week of September of 1977 as "National Rehabilitation Week."

H.J. Res. 1057. August 24, 1976. Post Office and Civil Service. Authorizes the President to issue a proclamation designating the week beginning October 3, 1976, and ending October 9, 1976, as "National Volunteer Firemen Week."

H.J. Res. 1058. August 25, 1976. Post Office and Civil Service. Designates September 8 of each year as "National Cancer Prevention Day."

H.J. Res. 1059. August 25, 1976. Judiciary. Proposes a constitutional amendment which provides that the term of office of the President and Vice President shall be six years, and no person shall be elected to the office of President more than once.

H.J. Res. 1060. August 25, 1976. Post Office and Civil Service. Designates February of each year as "American History Month."

EXTENSIONS OF REMARKS

INCREASED BENEFITS FOR SSI RECIPIENTS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. GILMAN. Mr. Speaker, today I am introducing legislation to provide increased benefits for the needy aged, the blind, and the disabled under the supplemental security income program.

Under my proposal, SSI benefits for an individual recipient would be increased from $1,752—the current cost-of-living adjustment is $2,013—to $2,500; for couples, the SSI benefits would be increased from $2,628—the current cost-of-living adjustment is $3,021—to $3,750. The estimated cost of these increases for the calendar year 1977 would amount to approximately $3 billion.

Mr. Speaker, these increased benefits would be targeted to more than 4.3 million needy aged, blind, and disabled citizens who currently receive SSI benefits—2.3 million needy aged, 75,000 blind, and 1.9 million disabled—citizens who are on the threshold of poverty and whose eligibility for SSI benefits are limited to savings of less than $1,500—excluding home, car, and personal effects.

It is my understanding that the national poverty level for an individual is pegged at $2,352, and for couples, it is $2,958. Obviously, these figures mask the fact that the poverty-level threshold varies from State to State and from region to region, but one fact is unmistakenly clear: Increasing the SSI benefits for these needy citizens barely meets their needs for economic survival. After all, how far can the July 1976 SSI monthly benefit—which for an individual is $167.80 and for couples is $251.80—be stretched? Clearly, this monthly benefit is being stretched to the breaking point. But increasing these benefits may mean the difference between starvation and survival for this Nation's needy citizens. It means money to purchase food, to pay the rent or the winter fuel, and to meet the everyday economic needs of survival.

This week the House overwhelmingly passed by a vote of 374 to 3, H.R. 8911, the Supplemental Security Income Amendments of 1976, making certain equitable changes in the SSI program. Mr. Speaker, in the interest of continuing to meet the needs of SSI recipients, I am inserting the full text of my bill at this point in the RECORD, and I welcome the support of my colleagues on this measure:

H.R. 15432

A bill to amend title XVI of the Social Security Act to provide an increase in the benefits payable to aged, blind, and disabled individuals under the supplemental security income program

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) sections 1611(a)(1)(A) and 1611(b)(1) of the Social Security Act are each amended by striking out "$1,752" and inserting in lieu thereof "$2,500".

(b) Sections 1611(a)(2)(A) and 1611(b)(2) of such Act are each amended by striking out "$2,628" and inserting in lieu thereof "$3,750".

SEC. 2. The amendments made by the first section of this Act shall apply (notwithstanding any increase under section 1617 of the Social Security Act taking effect prior to January 1, 1977, but subject to any increase under such section taking effect on or after that date) with respect to payments for months after December 1976.

AN AVIATION PIONEER—GONE WEST

HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. MILFORD. Mr. Speaker, this Nation has lost a leading citizen and a true pioneer, Maj. Bill Long.

Anyone with a pilot's license number consisting of six digits or less, is probably very familiar with Maj. Bill Long. Many knew him personally.

In the next monthly meeting in "Quiet Birdmen" hangars, all over the world, Major Bill's name will be specifically mentioned in the traditional toast to "all QB's who have gone West." For the nonflyer, the "Quiet Birdmen," more popularly known as the QB's, is a professional pilot's fraternity with local chapters—hangars—located throughout the world. Major Bill's membership in the fraternity dates back to its origin.

I was privileged to know Major Long personally, as did practically every pilot in the north Texas area. We loved him and we will miss him.

Mr. Speaker, I feel that this man's record is an outstanding example of good citizenship, worthy of the attention of the U.S. Congress and the citizens of this Nation.

I asked an outstanding aviation journalist, Mr. Al Harting, to take pen in hand and outline a sketch of the character and life of Maj. Bill Long. The following is the characterization compiled by Mr. Harting:

AN AVIATION PIONEER—GONE WEST

(By Al Harting)

This Nation lost one of the legendary architects of American airpower when Major

William Francis (Bill) Long passed away in his hometown of Dallas on Thursday night, August 19, 1976, at the age of 81.

A World War I pilot-observer in combat overseas, Major Long became one of America's first civilian flying school operators at Dallas' Love Field. He was among eight such men to be summoned to Washington, D.C., by his friend, the late General H. H. (Hap) Arnold, for a meeting in 1939 in Room 1020 of the War Munitions Building that marked the birth of this country's mighty World War II Air Force.

He quoted General Arnold as saying "Gentleman, make no mistake—we are next on Germany's list. As of the moment, I have 1,006 airplanes that will fly, and 1,042 officers who can fly them after a fashion.

"I want you to go home, mortgage your houses, sell your wives' furs, borrow all the cash you can lay your hands on, and build the world's best flying schools. At the end of the month, I'm giving you each 100 cadets and on July 1 I'm giving you all the government planes and training equipment I can find."

Through fierce patriotism and deep-seated faith in General Arnold, Bill Long joined the others in following the General's request.

He began training U.S. cadets in old wire-spoked PT-3's at Dallas Love Field which had begun in 1917 as a pilot training base for World War I. Some months later, he received the first young Britishers to come to this country to win their wings for combat duty with the Royal Air Force. They trained first at Love Field and then Major Long created a facility exclusively for them at Terrell, Texas, east of Dallas.

Through all the war years, Major Long operated U.S. Air Force contract training schools at Dallas, Terrell, Fort Worth, and Brady, Texas. By the time history's greatest air armada had helped crush Nazi Germany and Japan, his schools had turned out nearly 25,000 pilots and technicians.

For these services, Bill Long received the President's Certificate of Merit and was made a member of the Civil Division of the Order of the British Empire by King George VI. Hap Arnold had put his trust in the right man at a time of unparalleled national crisis.

William Francis Long was born in 1895, the son of a farmer near New Florence, Montgomery County, Missouri. As a lad, he develop a free spirit of adventuring and a love of the land and animals that characterized this unique man throughout his long and eventful life.

Until the time of his death, Bill Long loved his vast Rough Creek Ranch near Walnut Springs, Somervell County, Texas, where he raised some of the Lone Star State's finest Hereford cattle and restored the land and the native game to conditions of a century past. He and his beloved wife, Wayne Pettit, herself a member of one of Texas' pioneer families, regularly spent days and weeks at the ranch enjoying the rolling meadows, the lakes and spring-fed streams.

Bill Long for many years in his prime was a noted horseman and polo player. Mounted on a thoroughbred horse, he was an aggressive and skillful master of the game who gave no quarter—and asked none.

He was an expert marksman who competed in—and often won—shooting contests in both North and Latin America.

When World War I ended, Major Long remained in Europe with the Army of Occupation, returning in 1920 to qualify for commercial pilot's license No. 476. He sold surplus Curtiss Jennies and Standards both in San Antonio and in Dallas and throughout Latin America. He also was a barnstormer, bringing the miracle of flight for the first time to thousands of rural Americans, and he flew payrolls in and out of Mexico.

In 1926, he acquired several World War I hangars at Dallas Love Field where he operated Dallas Aero Service and Dallas Aviation School until selling the property in 1961. He was among the first distributors of such early-day commercial airplanes as the Laird Swallow, Stinson, American Eagle, Eagle Rock, Buhl, and others.

In partnership with his close friend Billy Parker, the famed chief pilot of Phillips Petroleum, Bill Long for many years sold more advanced, multi-engine business airplanes.

He was a founder and chief executive of two commercial airlines—Long & Harmon which sold its routes to Braniff in the late 1930's, and Pioneer which merged with Continental in 1954.

Bill Long was a friend of the legendary names of aviation who often taxied up to visit and seek his advice at Love Field—names like Lindbergh, Amelia Earhart, Jimmy Doolittle, Admiral Richard Byrd, Frank Hawks, Roscoe Turner, Doug Corrigan, Wiley Post, Al Williams, and others.

In addition to military pilots for World War II, Major Long's Dallas Aviation School turned out a legion of airline captains and professional pilots commanding business and executive airplanes in every corner of the land.

After selling his service and training facilities, Bill Long remained on his beloved Love Field in a suite of offices where he frequently met with his old friends and worked as a wise and genial aviation consultant to all comers. At the time of his death he was an active director of the Gates Learjet Corp., Wichita, Kansas, and of the Hillcrest State Bank in Dallas. He was a member of the elite Conquistadores del Cielo, comprised of the country's top aviation industry executives, and cherished meetings with the group twice each year—one of them annually a week-long session at a Rocky Mountain ranch. He also was a member of the Dallas Gun Club where he still shot remarkable rounds of skeet, the Calyx Club and the Cipango Club. He was a QB (Quiet Birdmen).

Bill Long was an extremely well-read and "practical" scholar with interests ranging through history and nearly every known pursuit of man. He was a religious man, with a profound love of God. He was a yarn-spinner without equal, embellishing his narratives with hearty good humor. He liked fashionable clothes, gourmet food and Rolls Royce and Cadillac automobiles, but was at home with men and women in every walk of life. He was a humble person who had the common touch.

Major Long and his lovely, vivacious wife, Wayne, made their home at 3525 Turtle Creek in Dallas.

LONG BEACH AREA ATHLETES PARTICIPATE IN OLYMPICS

HON. MARK W. HANNAFORD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. HANNAFORD. Mr. Speaker, I take this opportunity to laud the accomplishments of 30 young men and women from the Long Beach area in southern California who will be honored by the Long Beach Century Club on September 14, 1976. Deborah A. Ayars, Jack Babashoff, Les Berman—coach, Sherry L. Calvert, Gene Davis, Pat Donnelly, Rayfield Dupree, Lelei A. Fonoimoana, Bruce M. Furniss, Steve C. Furniss, Lisa C. Hansen, Lawrence T. Hart, Annette L. Hilliard, Joni Huntley, Francie Larrieu, Joan L. Lind, Mark E. Lutz, Karen McCloskey, Thomas McKibbon, Anthony J. Montrella—coach, Irene Moreno, Joan K. Schmidt, Claudia Schneider, Albert Schoenfield—assistant manager, Tim A. Shaw, Dwight E. Stones, Rodney Strachan, John Van Blom, Martha Watson, and Leslie Wolfberger were members of the 1976 U.S. Olympic team which rerecently finished competition in Montreal, Canada.

I am sure that all of us in the Congress feel a deep pride in the achievements of the Olympic team at Montreal. But few of us can understand the sacrifice these athletes have made and the painfully hard work they have invested in reaching the Olympics. The Olympic athlete and coach are the personifications of self-discipline, commitment, and competitive excellence, and each of these individuals represents the finest of these ideals.

It is the obligation of the Congress not only to assess the liabilities of our country but to call attention to its assets. Men and women such as these clearly fall into the latter category. It is my privilege, therefore, to enter the names of these individuals into the RECORD of the Congress of the United States and to commend them for their outstanding achievement.

WALKER COLLEGE CIRCLE K CLUB

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. BEVILL. Mr. Speaker, on August 17, the Walker College Circle K Club was named the most outstanding chapter in the entire Circle K International organization.

I want to use this RECORD as a means of congratulating the outstanding Walker College Circle K Club on this monumental accomplishment.

For those who might not be familiar with the organization, Circle K is the college affiliate of Kiwanis International.

Since 1956, I have been privileged to serve on the board of trustees of this greatly admired 2-year institution. During these 2 decades, I have continually been impressed with the way the college has progressed.

Under the leadership of its president, Dr. David Rowland, Walker has developed a reputation as an institution totally dedicated to serving the academic and extracurricular needs of its students.

The fact that more than 85 percent of its graduates go on and obtain degrees at 4-year institutions reflects the image Walker College has fostered for itself.

So the fact the school's Circle K chapter has been afforded such a lofty honor comes as no shock to me, since it seems to fit in comfortably with the school's overall goals.

But the thought of what went into making the Circle K award a reality is staggering.

The award is one which most chapters would only dream about.

When the judges at the Circle K International Convention named Walker

College the most outstanding chapter in the organization's largest classification, the gold division, literally thousands of hours of work took on new degrees of satisfaction.

After being named the No. 2 chapter in Circle K International in 1975, the Walker club put in more than 7,500 man-hours of community service during the past year in an effort to take home the top prize.

Much of the credit for the club's success must go to Hank West, a political science instructor at Walker College who serves as club sponsor. Under his guidance, the club has risen from the ranks of the ordinary to the pinnacle it finds itself on today.

Since the Walker College club was revitalized 5 years ago, it has become increasingly dominant in district and national competition with other chapters.

The latest honor bestowed on the club is a fitting tribute to an organization and an institution dedicated to high standards of excellence.

CHERISH THE HONOR CODE

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mrs. HOLT. Mr. Speaker, the Personnel Subcommittee of the House Armed Services Committee is presently hearing witnesses regarding the violation of the honor code at the U.S. Military Academy.

The academies must do considerably more than produce officers with physical and technical skills. They must produce officers committed to duty and honor, to moral excellence. Their strength of character is an important part of the strength of our Nation in a very hostile and dangerous world. Those who cannot achieve the standard of moral excellence do not belong at the academies.

The current cheating scandal is a source of grievous concern to me. Cadets are facing expulsion because of cheating in an examination. The Secretary of the Army has modified the penalty to allow applications for readmission after 1 year.

This penalty seems to be an honest effort by the Secretary to cope with this difficult problem, especially when we consider that the academies must be dedicated to a moral standard much higher than that prevailing in civilian life.

As we deliberate on the problems of West Point, I am shocked by the attitude of some Members. They seem to want to abolish the honor code because it has been violated.

I commend those who have brought this matter to the attention of this subcommittee and the chairman for holding very revealing hearings. They have shown strongly that if the honor code at West Point has flaws that need correcting, then responsible officers and the corps of cadets must do the correcting. If enforcement and disciplinary procedures need improvement, responsible officers and the corps of cadets must do the improving.

But Congress must stay out of it. I greatly fear the tendency of politicians to reduce standards to enable everybody to succeed, regardless of merit. In the military ranks of our country, merit must never be replaced by mediocrity.

I have confidence in the responsible officers and the corps of cadets. Their proud and historic institution, which has served our country with great honor, has been sorely shamed by the current scandal. They will remedy the problem. And they will do it in a way that preserves the standards of moral excellence which is the tradition of our service academies.

AMENDMENT TO 1964 MEAT IMPORT ACT

HON. JOHN KREBS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. KREBS. Mr. Speaker, I rise today to express my deep concern over the ever-increasing amount of processed meats entering the United States through the foreign trade zone in Mayaguez, Puerto Rico. This meat, originating in large part in Australia and New Zealand, by virtue of the processing to which it is subject, directly violates the intent of the Meat Import Act of 1964 and the voluntary agreements correspondingly negotiated with exporting countries under authority of section 204 of the Agricultural Act of 1956.

In an effort to stem this unrestrained flow of processed meat imports, which is a significant factor in the economically perilous situation facing domestic livestock producers, my colleague, the Honorable BERKLEY BEDELL, and I are today introducing a bill to limit the amount of processed meat imported into the United States. This measure closes a loophole in the Meat Import Act of 1964—Public Law 88–482—which fails to limit the amount of processed meat entering the United States. Public Law 88–482 simply places an upper lid on the amount of fresh, chilled, or frozen beef or veal which we import into the continental United States. Under that law, import quotas are mandated when estimates of imported meats equal or exceed 110 percent of an adjusted base quantity. That base quantity was established at a time when processing was not commonly employed—1959 to 1964. Thus, those who drafted the legislation probably did not find it necessary to include processed meat within the base quantity.

Our bill sets a base amount for processed beef and veal, determined by average amounts imported over a recent 10-year period—1966 to 1975. When 110 percent of that adjusted base quantity is exceeded, quotas would be imposed—just as mandated by the 1964 law for fresh, chilled, and frozen beef or veal.

The U.S. Department of State has negotiated voluntary restraints for this year at 1.223 billion pounds. This is just 10 million pounds below the level at which quotas would be imposed. However, 29 million pounds of meat ground, shredded, flaked, chunked, or otherwise processed had entered the continental United States this year as of August 20. In other words, more than enough meat has passed through the Puerto Rican processing plant to cause total U.S. imports to exceed the trigger level for this year.

In mid-August, USDA announced a proposal that certain meats being processed in foreign trade zones would count against the Nation's meat import limitations. We commend Secretary Butz for this action, but nonetheless, it is not as comprehensive a solution as the one which our bill proposes. The spectre of unlimited processed meats which are shredded, flaked, and so forth in the country of origin continues to loom in the background, in spite of the USDA proposal.

In addition, the Foreign Trade Zones Board has repeatedly announced that hearings will be held to decide whether imports of the meats processed in Mayaguez are detrimental to the public interest. However, no positive action has occurred to date. Again, we are pleased that Secretary Richardson has directed the Department of Commerce to investigate this matter. However, even if hearings are held, a positive finding is made, and meat processing in Mayaguez is curtailed, the problem could well recur in the future in Mayaguez or in another foreign trade zone.

Next year, the voluntary restraint agreements, if they are instituted, may well take into account processed meat and require that it be included as a part of the level established in the voluntary agreements. However, once again, this is a solution which is only temporary in nature—1 year—the duration of the agreement—and lacking in comprehensiveness. Processed meat originating abroad would not be covered.

We feel strongly that limitations on the importation of such meat are vital to assist in the recovery of our American livestock industry which has suffered from extremely low returns and rapidly rising costs over the past 2 to 3 years.

In the interest of easing some of the oppressive market pressures facing our domestic cattle industry, it is imperative to enact a measure such as this one. There is little we in the Congress can do about rising costs of production, but we can alleviate unfair market competition by amending the 1964 Meat Import Act to extend its coverage to take into account processed meats.

COST-OF-LIVING PAY INCREASE FOR MEMBERS OF CONGRESS

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. GREEN. Mr. Speaker, I do not believe that Members of Congress should receive automatic cost-of-living pay increases. If the Members of this body feel that their salaries are insufficient, then the House should take up the matter in

a public fashion and accept the responsibility.

Mr. Speaker, had I been present yesterday, I would have voted for the Shipley amendment to H.R. 14238, which eliminated the automatic cost-of-living pay increase for Members of Congress during this coming fiscal year.

HOUSING COMPLEX DOOMED

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. PAUL. Mr. Speaker, I am happy to have the opportunity to praise the Washington Post. On August 26, it ran an excellent article about the problem with public housing in this country.

This article details the demolition of a low-income housing project in Prince Georges County called Baber Village. Apparently it has come as a great surprise to the Department of Housing and Urban Development that people who pay little or nothing for housing do not take very good care of it. This is what led to the downfall of Baber Village. The people who lived there simply decimated the place.

Actually, anyone with any foresight or understanding of human nature could have predicted that someone who gets something for nothing is not likely to take the same care of it as someone who must work to pay for it. This is the weakness of all public housing programs. Consequently, so that my colleagues may avoid similar mistakes in the future, I urge them to read this article:

HOUSING COMPLEX DOOMED—ONCE LAUDED BABER VILLAGE BEING DEMOLISHED

(By Elizabeth Becker)

Bulldozers yesterday began demolishing Prince Georges County's decaying Baber Village, eight years after the housing complex was hailed at its opening by federal officials as a model of how government and business can build housing for the poor.

Touted as one of the first of a new wave of such federally guaranteed but privately financed projects, this $2.9 million low-income housing project was being torn down because it didn't work.

In the opinion of County Executive Winfield M. Kelly, Jr., and many other county officials present at the demolition yesterday, the project had deteriorated to such a point that the best solution was to destroy most of it and spend $2 million constructing a new apartment complex and rehabilitating one salvageable building.

The $2 million for construction and rehabilitation will be paid by the Department of Housing and Urban Development under its conventional public housing grant program.

That comes on top of the $2.9 million mortgage that the federal government, as guarantor of the private loan, had to absorb when the church group that took over management of the project defaulted on repayment of the mortgage last year. HUD also gave $1 million to the county so it could purchase the project from the federal government.

Ironically, HUD's financing for the new Baber project is being made under a public housing grant program that was to have been replaced by the kind of government-guaranteed privately financed program that built the original complex in 1968.

In a project already rife with ironies, the arrival of the bulldozers at Baber Village's vandalized and neglected 220-unit complex coincides with a fiercely escalating debate over just how much low-income housing the county should support.

That debate has been symbolized by another low-income project called Pumpkin Hill in Laurel, built, like Baber, under HUD's section 221–D–3 funding program, which allowed a private builder to construct a housing project under a federal government-insured mortgage. Both projects had a federal commitment to give substantial monies for rent supplement programs to the projects' managers.

Back in the mid-60s, Prince George's quickly became the center for low-income housing project construction in the Washington area. Today those projects, many charge, are centers for crime and, as Kelly himself says, "magnets for the poor."

To change the county's image, Kelly has proposed a "new quality" campaign to create a "solid middle-class" county. He has decried what he calls the county's unfair share of low-income housing projects and said he wants no more to be built there. One way to break up the concentration, he said, is to individually subsidized low-income families, rather than subsidize entire projects, such as Baber Village.

At the time of its construction, Baber Village was hailed by HUD Secretary Robert Weaver as the ideal coupling of private ingenuity with public financing.

Shortly after construction of the complex, Baber's developers, which included Charles S. Bresler, a friend of then-Vice President Spiro T. Agnew, deeded the project over to the African Methodist Episcopal Church. The developers then left the project with their own profits assured.

The church served as a sponsoring group and was responsible for managing the complex and meeting mortgage payments, according to Earl Morgan, county housing director.

"The church group had no experience in this field. They had trouble managing it and the developers got off scot-free," said Kelly.

Within three years, 22 of the units that received 100 per cent rent supplements had deteriorated so badly that they were condemned by the county. Despite citations from housing authorities, the garden-style apartments went from bad to desperate and by 1973 Baber Village was synonymous with the vandalism, debris, boarded-up windows and decayed buildings that characterize the dead-end street of poverty.

At that point HUD agreed to spend $2.7 million to rehabilitate the project. But before HUD's offer could be implemented, the church defaulted on its mortgage last year and the eyesore became the burden of the government. In a check passing agreement, the county bought the complex for $1 million in funds granted it by HUD for that purpose.

"Every time you talk about subsidies they (the officials) say they don't want another Baber Village. But they're the only ones who can prevent it," said State Senator Tommie Broadwater (D-Prince George's) at yesterday's demolition. "It's not the poor people who are completely responsible. It's the way the programs are managed."

Like other officials present yesterday Broadwater, who represents this primarily black community, said the demolition was a long time coming. But he emphasized that, although the project would continue to be subsidized, it would not carry the old stigma. It would be designed for 100 fewer units and have ample recreation space.

"Individual subsidies aren't the only answer," said Broadwater. "In fact, we haven't even used up the certificates (for federal subsidies) that we have. Realtors won't rent their nice apartments if they know someone is on subsidies. We need legislation that will force all complexes to accept them and not just those in the inner beltway."

The housing complex, though, symbolizes more than the problems of subsidized housing. Almost one-quarter of the apartment stock in the county could deteriorate as Baber Village has within five years, according to an independent study released this summer. Most of those complexes are the hastily and shabbily constructed projects of the '60s that have made "garden-style apartment" almost a mockery in some eyes in the county.

Despite that, and Kelly's opposition to similar projects, the newly constructed Baber Village will remain an across-the-board subsidized project. Tenants will be selected on a basis of need and will pay no more than 25 per cent of their income for the two and three-bedroom apartments.

HAMILTON SUPPORTS EDUCATION LEGISLATION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. HAMILTON. Mr. Speaker, the 84th Congress has taken several important steps, with my support, to improve the quality of American education. About one-third of our population is directly involved in the educational process, and our society depends on education in many vital ways.

This Congress acted on a great deal of education legislation. Among the bills already enacted in the past 2 years are these:

First, a law extends the Rehabilitation Act through fiscal 1978 to assist States to meet the needs of handicapped individuals.

Second, another law provides financial assistance to the States to insure the right to an education for all handicapped children.

Third, a new law authorizes funds for a demonstration project on dissemination of health, education, and public or social service information via the broadcast media.

Fourth, nationwide reading improvement projects have been authorized.

The Congress also enacted two bills over the President's veto: A bill extending and strengthening the National School Lunch and Child Nutrition Act, and legislation appropriating funds for Federal education-support programs for fiscal 1976.

Other measures await final congressional action this year. I am hopeful that action can be completed on them before adjournment. They include legislation to:

Extend the Library Services and Construction Act for 5 years, through fiscal 1981;

Reimburse State and local educational agencies for the costs of educating Indochinese refugee children;

Extend and expand the guaranteed student loan program and to curb the rate of defaults under this program;

Authorize funding through fiscal 1977 for Federal higher education efforts in the areas of student assistance, construction, and community college and occupational education aid; and

Extend the Vocational Education Act for several years, with increased funding.

I look forward to working with members of the educational community to pass this and other legislation that improves the quality of education in this country.

10TH DISTRICT FOOD PRICES STABLE

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. MIKVA. Mr. Speaker, food prices in the 10th District of Illinois seem to be leveling off, according to the latest survey of major grocery stores in the district conducted by my staff. This trend varies from the national average food prices, which appear to be decreasing slightly.

From June to July, the increase in food prices in the 10th District was the smallest increase in nearly a year. The price of a 27-item market basket of food items and household supplies rose an average of only 0.1 percent, from $20.31 on June 19 to $20.33 on July 17.

Of the 32 items surveyed, only 12 items increased in cost, which is the largest number of unchanged prices since October. The most constant price has been that of a 20-ounce loaf of bread, which has held at an average of 57 cents since April. The greatest drop in the price of a single item is that of a pound of fresh green beans, a seasonal item, from an average price of 59 cents on June 19 to 42 cents on July 17, or a drop of 28.8 percent.

The average prices of the six supermarket chains we surveyed showed the smallest price difference for the 27-item market basket since September 1975.

The item that displayed the greatest average price increase from the June to the July survey was sirloin steak, which has been a constantly fluctuating item. Steak rose 10.3 percent in price, from $1.55 a pound in June to $1.71 in July.

My staff has been charting food prices in 10th District grocery stores since June 1974. The 26 stores surveyed each month are members of the following chains: A & P, Dominick's, Jewel, Kohl's, National, and Treasure Island. The stores are located in Des Plaines, Evanston, Glenview, Lincolnwood, Morton Grove, Niles, Northbrook, Park Ridge, Skokie, Wilmette, and Winnetka.

Of all the supermarkets surveyed, the Jewel stores had the lowest average price as a chain for both the 27-item market basket and the meat case items on July 17: $20.10 for the market basket, a drop of 1.9 percent from the June total of $20.49 and $10.66 for the meat items, a drop of 5.9 percent from the June total of $11.33.

The July survey was conducted by the following members of my high school intern program: Mary Anderson of Des Plaines; Esther Levin of Evanston; Rich Berman of Northbrook; David Barclow, Dina Ciccia, and Bob Wagner of Park Ridge; Greg Marmel of Skokie; Chuck Cohen, Mindy Cranous, Ann McCoskri and Larry Shulruff of Wilmette; and Lynn Fitz-Hugh of Winnetka.

Peter Burchard, Joel Lieberman and Carol Markin of my Des Plaines staff coordinated the survey.

The information follows:

FOOD SURVEY RESULTS, CHANGE PER STORE FROM JUNE 19, TO JULY 17, 1976

Town and store	Market basket Price	Market basket Percent change	Meat case Price	Meat case Percent change
Evanston:				
Dominick's	$20.30	+1.4	$10.67	+2.2
Jewel	20.08	—.3	10.25	—9.1
Park Ridge:				
Dominick's	20.39	+2.9	11.92	+12.3
Jewel	20.15	—.4	10.43	—5.0
Wilmette:				
Jewel	20.05	—1.4	10.88	—1.8
National (Skokie)	20.48	+.1	11.70	+7.6
National (Central)	20.62	—2.8	11.66	+.8
Treasure Island	20.55	+1.0	11.44	+1.4
Lincolnwood:				
Kohl's	20.42	+4.8	11.09	+6.7
National	20.75	+1.7	12.52	+15.2
Winnetka:				
A & P	20.45	+1.5	10.99	—3.6
Jewel	20.07	—4.8	10.97	—4.9
Northbrook:				
Jewel	20.17	—2.6	11.08	—4.6
National	20.37	—.5	11.56	+6.2
Des Plaines:				
Dominick's	20.32	+1.4	11.41	—15.1
Jewel	19.99	—1.2	10.58	—1.7
National	20.01	—1.3	11.40	+6.1
Niles:				
Jewel	20.05	—3.8	10.49	—11.2
National	20.79	+1.3	11.85	+8.8
Morton Grove:				
Dominick's	20.19	+2.9	11.11	+7.2
Jewel	20.15	—1.9	10.58	—8.0
Glenview:				
Dominick's	20.38	+3.5	11.92	+13.0
National	20.79	—.4	11.60	+.2
Skokie:				
Dominick's	20.44	+3.1	11.21	+7.2
Jewel	20.23	—.4	10.67	—6.7
National	20.53	+.5	11.77	+8.3
District average	20.33	+.1	11.22	+2.1
By chain:				
Dominick's	20.34	+2.6	11.87	+9.5
National	20.54	—.1	11.76	+6.6
Jewel	20.10	—1.9	10.66	—5.9
A. & P	20.45	+1.5	10.99	—3.6
Kohl's	20.42	+4.8	11.09	+6.7
Treasure Island	20.55	+1.0	11.44	+1.4

FOOD SURVEY RESULTS—CHANGE PER STORE FROM JUNE 19 TO JULY 17, 1976

Item	Price	Percent change
Meats:		
Sirloin steak (with bone)	$1.71	+10.3
Boneless rolled rump roast	1.45	—2.0
Pork chops, loin/rib	1.94	+1.6
Oscar Mayer beef hot dogs	1.27	—1.5
Chicken, whole fryers	.57	—9.5
Round steak (with bone)	1.42	+2.9
Ground beef (75 percent lean)	.98	0
Armour bacon	1.87	+5.6
Produce:		
Bananas	.27	0
String beans	.42	—28.8
Iceberg lettuce (per head)	.59	+3.5
Dairy:		
Eggs (dozen, grade A large)	.83	+6.4
½ gallon 2 percent low-fat milk	.79	0
Kraft American cheese (16 slices)	1.09	.9
Small curd cottage cheese (16 oz)	.79	+1.3
Bakery products:		
Wonder bread (20 oz)	.57	0
Nabisco salted saltines	.65	+1.6
Kellogg's special K (11 oz)	.73	0
Frozen foods:		
Frozen mixed vegetables	.53	+3.9
Swanson's hungry man turkey dinner	1.30	+1.6
Minute Maid frozen orange juice (12 oz)	.66	0

FOOD SURVEY RESULTS

[Change per store from June 19 to July 17, 1976]

Item	Price	Percent change
Canned fruit: Del Monte peach halves (29 oz)	$0.62	+1.6
Staples: Crisco shortening	.59	—1.7
Miscellaneous prepared foods:		
20-oz. Heinz ketchup	.63	+1.6
Peter Pan peanut butter	.69	0
Strawberry Jello	.21	0
Campbell's chicken noodle soup	.21	0
Kal-Kan chunky beef (dogs and cats)	.31	3.1
Nonfoods:		
Scott paper towels (double roll)	.69	0
Tide detergent (49 oz)	1.36	0
Reynolds aluminum foil (75 ft)	.95	0

PERSONAL EXPLANATION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, because I was absent from the Chamber, I missed some rollcall votes on August 9.

Had I been present and voting, I would have voted in the following manner.

No, on rollcall no. 621;

No, on rollcall no. 622;

Yea, on rollcall no. 624, and

Yea, on rollcall no. 625.

THE STEPHEN E. JOHNSTON BEACH AND PAVILION

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. OTTINGER. Mr. Speaker, on August 15, 1976, the village of Mamaroneck, N.Y., dedicated the Harbor Island beach and pavilion to Mr. Stephen E. Johnston in honor of "a man whose devotion to

youth and aquatics shall always be remembered with affection and esteem."

Born and raised in Mamaroneck, Mr. Johnston's contributions to his community span over 50 years. He played baseball and basketball with several clubs in the area. He organized Mamaroneck All-Stars football team in 1923. In 1924–25–26–27–28 his team won without a loss. He coached basketball teams; umpired high school and semipro baseball; refereed basketball games. He also coached competitive swimming for 45 years and taught thousands of children swimming. He was a director and instructor for the American Red Cross, Mamaroneck Branch, Water Safety and First Aid. In addition to these activities, Mr. Johnston served as village fire chief for 52 years, and as a member of countless civic organizations.

Stephen Johnston continues to reside in Mamaroneck, and has remained active in the life of the community. Today, his favorite hobby is playing in the Larchmonth and Mamaroneck Senior Citizen Orchestra.

We are all familiar with men and women who go through life working tirelessly for the benefit of others. At times their good works are publicly recognized; at other times, life slips by so quickly that their good deeds never receive acclaim. Nevertheless, these selfless people are the heart of a healthy and flourishing society. I am thankful that such good people exist, and am pleased to join the community of Mamaroneck in publicly thanking Mr. Stephen E. Johnston—a man who has dedicated his life to make this world and his community a better place in which to live.

LARRY PIANTO

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. RUSSO. Mr. Speaker, for many years I was fortunate enough to have as a friend, an exceptionally good and decent human being. Now that he is gone, I realize with dreadful certainty the gap his passing will leave in my life. And I am equally aware, having seen the results of his work and commitment in my district, the impact his death will have on the entire community. He touched many lives and those lives were greatly enriched by his presence.

When Larry Pianto passed away on August 7, he was, as ever, involved in his community. In his hometown of Riverdale, he was serving as park commissioner, as he had since 1971. He also was clerk of Calumet Township, a post to which he was first elected in 1973. Larry was employed by the Chicago Metropolitan Sanitary District and was a member of the Blue Island Sertoma, a good will organization. He was an active volunteer in the Riverdale Little League and his strong belief in our governmental process meant countless hours of work and personal contact in furthering that belief.

In his all-too-short lifespan, Larry gave of himself freely and unselfishly. He worked to restore confidence in our Government. He cared. He was loyal. He had a patriot's commitment to our Nation and exemplified good citizenship in his activities.

How we will miss him. I know my colleagues join with me in extending deepest sympathy to his children and to Ann, his beloved wife of 37 years.

REVERSAL OF VOTE ON PAY RAISE AMENDMENT

HON. CHARLES A. MOSHER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. MOSHER. Mr. Speaker, 2 days ago I placed a statement in the CONGRESSIONAL RECORD, referring to a proposed amednment to the legislative appropriations bill, to bar Members of Congress from receiving a cost-of-living salary increase during the coming fiscal year.

In that statement I said, "I expect to vote in support of this amendment." Yesterday, when the bill was debated, I voted against the amendment.

Consequently, I am making this brief statement to explain what caused me to change my decision as to how I would vote.

Basically, my attitude and position remained constant, but the proposed amendment was changed, and I found the proposal in its revised form to be unacceptable.

As it was originally proposed, the Shipley amendment would simply have barred Members of Congress, but no one else, from receiving the automatic cost-of-living pay increase that is due next month. As I said Tuesday, I approved of this idea, although I also added:

I regret that we must attempt to correct our previous legislative mistake by means of an amendment to an appropriations bill. Also, I regret that the House has totally failed to respond to repeated suggestions that we improve our system of salary determination.

Well, Mr. Speaker, instead of improving the system yesterday, we may have worsened it.

Before we had a chance to vote on it, the Shipley amendment was changed so that it freezes the salaries not only of Members of Congress, but also those of Federal judges and of the so-called supergrade civil servants. Now, why should these people be penalized because of our political machinations?

It is my long-held belief that congressional salaries should not change between elections. We should not change our own salaries whenever the spirit moves us. Rather, because of our unique position as the only Federal officials able to raise or lower their own salaries, we should allow the public a proper voice by deferring salary changes to the subsequent Congress. That is, we should provide that you cannot receive an agreed upon salary increase until after you are reelected and serving in the next Congress.

Instead of moving toward that logical course, though, we have instead gone the proverbial two steps forward and three steps back.

What we have done is to return almost exactly to the situation where we have no salary adjustments whatsoever, where Federal executives and judges are subject to an intolerable wage freeze and there is no rationality or order to the procedures followed.

Mr. Speaker, by my "no" vote yesterday, I sought to indicate my unwillingness to participate in this charade.

I was willing to acquiesce and vote against the congressional pay raise, because I continue to believe the present system is inexcusable, but I cannot justify penalizing civil servants and justices for our own perverse purposes. Merely because we in Congress have been stung by the criticisms of public and private gadflies who object to the miserable system we adopted last year, this is not reason enough to justify our swinging about wildly and inflicting injury on innocent bystanders.

Instead of playing political games with the appropriations bill, Mr. Speaker, we should be buckling down to the serious business of enacting meaningful reform legislation. Until we do this, we will continually have to go through this silly routine.

TRIBUTE TO AL HAUFFE—A LIFETIME OF SERVICE TO RURAL ELECTRIC PROGRAMS

HON. LARRY PRESSLER

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. PRESSLER, Mr. Speaker, the rural electrification movement lost a genuine friend and leader when Al Hauffe, Leola, S. Dak., passed away recently.

Al served as president of the South Dakota Rural Electric Association for 21 years; he was South Dakota's representative on the NRECA board for 27 years, serving as president for 2 years, vice president for 2 years and secretary for 5 years.

There has been no more dedicated and enthusiastic supporter of the rural electric program than Al. Although my formal association with Al has been short, it has been a high point of my service in Congress to have gotten to know Al Hauffe.

A fine tribute to Al by Tom Fennel appeared in the South Dakota Rural Electric Association's weekly notes. Tom speaks for all of us in his tribute to a fine gentleman—Al Hauffe.

The Tribute follows:

We'll miss him. Boy, how we'll miss him! Al Hauffe: family man, farmer, cooperative leader and as solid a citizen as I've had the privilege of knowing died Wednesday.

I first met Al when I was being interviewed for the job of High Liner editor by then SDREA Manager Dail Gibbs back in 1963. Al was president of SDREA at that time and also was serving as president of our national association, NRECA. If I live to be 101 I'll never forget the sight of this tall, rawboned South Dakotan presiding at the first national meeting of NRECA that I ever attended. It was down in Dallas, Texas, and I can assure

you that it was an impressive sight to watch Al at that podium before 10,000 people, appearing as relaxed and comfortable with that audience as he would be back in Ipswich presiding at a meeting of the FEM Board.

But that was Al. He was comfortable with people of whatever level of society or in whatever numbers and I guess that's why he made such a great cooperative leader—he just naturally liked and understood people.

I only knew him for 13 years. Many of you were privileged to know him much longer. But, of whatever the length of friendship, we're all better off for having known Al and for having had the pleasure of working with him in the rural electric program.

THE COST OF REGULATION

HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. MILFORD. Mr. Speaker, Federal regulation of businesses continues to cost our economy millions of dollars in lost funds. These funds are lost in meeting restrictive, and often unnecessary, guidelines, and are lost to foreign nations, where our own firms may do business without the cost and delay of redtape.

An editorial in the Arlington Daily News, the Grand Prairie Daily News, and the Irving Daily News—all members of the News Texan Group—deals with the problem.

I share it with my colleagues:

[From the Irving Daily News, Aug. 29, 1976]

THE COST OF REGULATION

Is federal regulation of business beneficial? Since many of the purported results of regulation—cleaner air, safer products—are simply difficult to price, a categorical cost-benefit analysis of regulation is difficult.

Fortunately, an account of costs imposed by federal agencies is readily available; and Mr. Milton Copolus, under the aegis of The Heritage Foundation, has published a paper ("The Costs of Regulatory Agencies") which refutes the alleged insignificance of regulatory costs. Regulation inhibits domestic investment and productivity; it imposes enormous costs on individual corporations and the economy.

Investment diverted overseas, primarily to Japan or Germany to avoid unnecessarily restrictive red tape at home, hinders domestic productivity and, thus, stimulates inflation. American fixed investment, which between 1960 and 1973 accounted for only 17.5% of the Gross National Product, has lagged behind that of 11 other major industrial countries. Of course, the flight of American capital stimulates higher levels of investment abroad, where capital is looked upon as necessary to a nation's future employment.

This attitude contrasts with Congress's, which emphasizes the confiscation of, rather than the production of, wealth. Consequently, productivity, increasing annually by 4% from 1948 to 1954, dropped to 3.1% in the next ten years, and declined further to 2.1% in the decade following. Unfortunately, it has failed to improve: the current rate is 1.5%, a figure half that of other Western industrial economies—even Great Britain's. In part because of lower productivity, inflation which was 4% in 1966, rose to 5% in 1969, and surpassed 12% in 1974.

Corporate balance sheets more directly indicate the increasing expense and complexity of federal regulation. General Motors must obey the proscriptions of 29 federal laws, which cost it nearly $1.3 billion. Quaker Oats is accountable to 27 federal agencies, and Goodyear to 36. While last year it spent $27 million on compliance, Goodyear projects this year's outlays for regulation near $38 million. Eli Lilly, the drug manufacturer, expends $15 million to complete 27,000 reports for the federal government.

In 1970 Dow Chemical Company paid out $164,000 to meet federal standards; in 1975, the figure was $1.5 million.

Yet the nation, not the individual company, pays the regulation bill in terms of higher prices and potential unemployment. The Office of Management and Budget estimates that regulation will absorb $130 billion this year alone, approximately 8.1% of the Gross National Product; another $60 billion is now taken from the taxpayers to finance the 60,000 employes who administer the 24 agencies Congress established between 1962 and 1973. Moreover, if current policies remain law, the New York Stock Exchange, Chase Econometrics, and General Electric attest that future investment will fall short of that necessary to provide for high employment by $500 to $600 billion. However, if less than half of regulatory costs were diverted to fixed investment, more than 700,000 private jobs would be created, an employment figure near 70% of that for proposed public—that is, taxpayer financed—jobs.

Thus, regulation diverts capital abroad and to unproductvie domestic uses. Domestic investment and production are impaired; prices are inflated. Certainly, federal regulations are an expense from which Congress's and the taxpayer's attention has been diverted for too long.

HELSINKI FINAL ACT

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. HANLEY. Mr. Speaker, all of the nations which signed the Helsinki Final Act, including the Soviet Union, pledged to do everything possible to reunite families separated by political boundaries.

Because the Soviet Union is not living up to that promise, Members of Congress are conducting a vigil on behalf of the families which remain separated.

A case history of these families entitled "Orphans of the Exodus" dramatically details this tragic problem, and at this time I would like to bring to the Members' attention the situation of the Yankilovich family—Isaac and his wife, Ninel, and their children, Marina and Grecia, who have been detained in Moscow despite their request in August of 1972 to emigrate to Israel. It is contended that since Ninel worked in the Russian aviation industry as an economic engineer she had access to secret information and because of this her request to emigrate was denied. Ninel left that position in 1971 and has not worked since. Not only has emigration been denied the family, but their telephone has been disconnected to preclude contact with her mother who now lives in Israel. Her husband has never had access to secret Russian information. Although a graduate road construction engineer, her son has been denied a job in his field and has had to accept work as an ordinary laborer.

This oppression is obviously retaliation by the Russian authorities as a result of the Yankilovich's request to emigrate.

My colleagues and I want to make known to the Soviet Union and to the rest of the world that we strongly oppose oppression of this nature. As Representatives in a nation which is dedicated to the principle of freedom to pursue life, liberty, and happiness, we hope that our opposition will be noted and will lend impetus to a change of philosophy on the part of the Soviets toward those wishing to begin life anew in another land.

STATEMENT OF MR. RAILSBACK ON THE OMNIBUS ANTITRUST BILL

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. RAILSBACK. Mr. Speaker, in reading certain newspaper accounts of the Senate debate on H.R. 8532 and even in reading remarks made by Members of the other body in the CONGRESSIONAL RECORD, I believe that there is a great misunderstanding as to the nature of the proposal which is now being considered. There seems to be a general misimpression that some agreement has been reached between Members of this body and Members of the other body concerning the final shape of the antitrust bill. That is not correct.

There has been no compromise agreed to between the House and the Senate.

There has been no compromise agreed to between the House conferees and the managers of the bill in the Senate.

In fact, there has been no meeting between the House conferees and the managers of the bill in the Senate.

Contrary to the publicized misunderstanding, the House conferees met by themselves and collegially decided how far they could go in compromising the House and Senate positions. This compromise was put in written form and transmitted at the staff level to the other body. Thereupon without the concurrence of any member of the House conference committee, significant changes were made to the House proposal before it was introduced in the other body as the proposed Senate amendment.

Let there be no mistake. Although the Senate proposal does in large measure reflect the position proposed by the House conferees if one judges solely by the form and the words used in the proposal, the changes unilaterally made by the proponents in the other body go to the heart and soul of the legislation.

Frankly speaking, I believe that the House versions on the premerger notification title and the civil investigative demand title were superior to the versions adopted in the other body, and were generally recognized as such. The Senate versions, perhaps inadvertently, were seriously flawed. In view of these flaws, there really was no choice but to accept the House versions.

But the parens patriae title is another matter. The Senate proposal now under consideration does not at all embody the provision adopted in the House and the proposal suggested by the House conferees.

The proposal under consideration in the Senate guts the House position in two significant respects. First, the House rather convincingly rejected attempts to water down the absolute ban on contingency fees. The purpose of the House ban was to insure that a State would not bring a lawsuit unless it was committing its own resources to the case and to promote further the development of in-house expertise in the various States. The Senate proposal guts the House ban by permitting contingency fee arrangements wherever the court approves of the fee as a reasonable one unless the fee contract between the private attorney and the State is phrased in terms of a "percentage" of the recovery. These apparent restrictions on the use of contingency fee arangements are minimal in view of the fact that as a general matter the court will oversee the award of attorneys fees in such cases and because there is no difficulty in drafting contingency fee contracts on some basis other than a percentage of the recovery. The effect of this Senate change which we have not agreed to is to convert a consumer's bill into a lawyer's bill. And that is directly in opposition to the House position.

A second significant change incorporated in the Senate proposal over the objection of the Houses conferees is the provision in the House bill which permitted treble damages to be reduced to single damages where the defendant could show that his violation was in good faith. The House position is that the damages awarded should be commensurate with the wrong and that it is unjust to inflict treble damages on any defendant that has relied on prior judicial or administrative precedent, reasonably believing that his actions—later found to be illegal—were exempt or immune from the antitrust laws. The House specifically adopted this reasonable approach when the bill was before it last March. The Senate proposal rejects this approach.

As far as I know, no member of the House conference committee has suggested to any Member of the other body that these two significant changes—which go to the heart and soul of this legislation—are agreeable to the House conferees or to the House itself. In my opinion, if the Senate continues on its present course, the entire antitrust package is in serious trouble. I have serious doubts that the Senate proposal can clear the House floor and the President's desk in its present form. In my opinion the refusal of the Senate managers to accept the proposal of the House conferees place the life of the antitrust bill in jeopardy.

MORE BUREAUCRACY?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. ASHBROOK. Mr. Speaker, the American people are opposed to the ever increasing size of the Federal Government which is growing larger and less responsive. What is not needed is more agencies being created. Let us take a look at the position of the Democrat platform on this issue.

CONSUMER PROTECTION AGENCY

Proposals for a Consumer Protection Agency on the Federal level have raised much controversy. Small businesses particularly are concerned with the addition of yet another agency which will bury them under paperwork and only add to costs.

The Democrat platform comes out foursquare for another agency and another level of bureaucracy. In part, the platform supports "the creation and maintenance of an independent consumer agency with the staff and power to intervene in regulatory matters."

JUDGE CARTER—A GREAT SON OF CALIFORNIA

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. JOHNSON of California. Mr. Speaker, this summer California and the Nation lost a man whose dedication to his profession, whose unimpeachable integrity, and whose compassion for his fellow man sets an example all of us would do well to follow.

The Honorable Oliver J. Carter, presiding judge of the U.S. District Court of Northern California, achieved a notoriety of sorts in the few months before his death because it was he who had presided over the trial of Patty Hearst. During that trial, he was described as "a blunt, old fashioned, Trumanesque man * * * who would brook no nonsense, but who could laugh at himself." This is an apt description, but having known Ollie Carter for many, many years, I find it inadequate because it fails to reach to the heart of the individual who, I believe, was one of the State's and the Nation's outstanding jurists.

I have known Ollie Carter since the mid-1940's when he was a California State Senator. I was attracted first by his vitality, his concern for his fellow man and most of all by his devotion and dedication to serve the people. No challenge was too great for him. When a job was to be done, he tackled it and solved it. He never backed away from a task, no matter how difficult.

Judge Carter was elected to the California State Senate to succeed his father, the Honorable Jessie W. Carter, who had been appointed to the California State Supreme Court. At that time, he was the youngest man ever to serve in the California State Senate, but youth was not an obstacle. He quickly won the respect and admiration of his colleagues, many of whom were of his father's and grandfather's generation.

A devoted Democrat, Ollie Carter spearheaded the Northern California campaign for Harry Truman in 1948. As we all recall this was the campaign that was supposed to be doomed for failure. Here again, is another mark of the measure of the man that was Ollie Carter. I was privileged to work with him in this campaign and never once did he show any sign that the final result would be anything but victory. We all know what happened in 1948. It was, of course, the scrappy, determined, hard work of fighters such as Harry Truman and Ollie Carter which made it possible.

Mr. Speaker, much has been said about Ollie Carter since his death, but one of the finest commentaries on this great man was by Earl G. Waters, an old friend of mine and of Ollie Carter's. Earl had known Ollie and watched him with affection for many, many years. His column on the late Judge Carter, "A Great Son of California," was written from the heart and I include it to be inserted in the RECORD at this point so that others in this House may know and appreciate the type of man that was Judge Oliver J. Carter:

LATE JUDGE CARTER A GREAT SON OF CALIFORNIA

(By Earl G. Waters)

The passing of Federal Judge Oliver J. Carter removes from the scene one of California's truly great sons. It is, in a sense, unfortunate that his greatest fame was the result of a notorious trial involving a tragic happening in another great California family. For Carter will now be remembered by most as the judge who presided over the trial of Patty Hearst. A lifetime of achievement will be over-shadowed by that one case.

It was, of course, fitting that Carter should be the judge for such a trial. For he brought to that difficult role 25 years of experience as a trial judge. But he brought far more than that.

He brought unimpeachable integrity with an innate back country humor and wisdom, along with an overwhelming balance of fairness and self-deprecation.

His own opinion of himself was almost as if Tennyson had known Carter when he wrote:

"In me there dwells no greatness,
"Save it be some far off touch of greatness
"To know I am not great."

Although born in San Francisco, the city in which he was to die, he was raised in the backwoods of Shasta County in the town of Redding where his father, Jesse W. Carter, practiced law. He attended Stanford University and graduated from Hastings College of Law to return to Redding and join his father's firm.

Shortly thereafter his father was elected to the Senate, only to be named soon after to the State Supreme Court by Gov. Culbert L. Olson where he served until his death.

The appointment opened the door to a political career for Oliver Carter who, at 29, became the youngest state senator to serve up until that time. He was also one of the few legislators ever elected to directly succeed a father, family dynasties not being well received in this state's politics.

His election was to be a test of his mettle. Thrown into a forum where the average age was near 60, he was viewed as somewhat of an upstart, best seen and not heard.

Another obstacle was that of being a Democrat in a house long dominated by Republicans. As such his views weren't likely to be welcomed regardless of his age.

But Carter, constrained though he was by age and party affiliation, was to develop fast, winning both the respect and friendship of his elders. For he had an affability that was hard to reject and when he did rise to speak his fairness, logic and sound expositions of the law earned him the attention of his peers.

In the torrid battles which ensued in the late 1940s over the gasoline tax proposals to finance the freeway programs proposed by

Sen. Randolph Collier, it was Carter who was chosen by the Senate as the mediator between opposing forces. While Collier gets the credit for launching California's modern highway system, it was Carter's equanimity which made it possible, a fact duly recognized at the time by Gov. Earl Warren.

Because legislators were paid only $100 a month in those days, financial pressures forced Carter to retire from the Senate after two terms. He had planned to devote his full attention to his law practice but he was prevailed upon to take the chairmanship of the State Democratic Central Committee.

It was the year of 1948 and President Harry Truman was seeking election in his own right. Republican Thomas Dewey had already been elected by the polls, the media and almost everyone else except the people. Carter had much to do with Truman carrying California and defeating Dewey.

As a result, Truman, who had intense loyalty for those who helped him, named Carter to the federal court. His nomination was held up for more than a year while Nevada's Sen. Pat McCarran, as chairman of the Judiciary Committee, sought to compel the appointment of his candidate to a judgeship in his home state.

Judge Carter served on the federal bench for 26 years and handled many important cases. But, like his contributions as a state senator, those decisions will be blotted from public memory by his last case.

Fortunately, then, his conduct in that exemplified a lifetime of honor and ability.

THE HONORABLE E. D. E. ROLLINS, SR.

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. BAUMAN. Mr. Speaker, many Marylanders were saddened recently by the passing of the Honorable Edward D. E. Rollins, Sr., of Elkton, Md. Judge Rollins was a distinguished member of the judiciary in the State of Maryland, as well as having served with distinction as the attorney general for the State of Maryland from 1952 to 54. I was proud to know this great man and to call him my friend. He died at the age of 76 on July 5 and leaves behind him an illustrious career of achievement in our State.

Both Mrs. Bauman and I extend to the family of Judge Rollins our sympathies with the knowledge they are comforted by the many achievements of this great man.

Mr. Speaker, at this point I include in the RECORD a copy of an article from the Cecil Whig of July 7, 1976, which takes note of the career of Judge Rollins:

JUDGE E. D. E. ROLLINS, SR., FORMER STATE ATTORNEY GENERAL, DIES

Judge Edward D. E. Rollins Sr., of Elkton, who was attorney-general for the State of Maryland from 1952 to 1954, died Monday, July 5, at the age of 76 in Union Hospital in Elkton.

A former Circuit Court judge here, he had been ill several months. His home was at 131 East Main Street, Elkton.

Appointed attorney general for Maryland by Governor Theodore R. McKeldin, Judge Rollins assumed his duties on Nov. 14, 1952.

He was prominent in the activities of the National Conference of Attorneys General and served on the Tidelands Committee until June 20, 1955.

He was appointed to the bench as Associate Judge of the Second Judicial Circuit Court, which includes Cecil County, by Governor McKeldin in June, 1957. In an election held Nov. 4, 1958 he was elected for a 15-year term as Circuit Court judge.

Judge Rollins was a member of the American Bar Association, the Maryland Bar Association, the Cecil County Bar Association and the Second Judicial Circuit Bar Association.

He was a member of the Board of Directors of Union Hospital and was finance chairman in 1941 and 1943 in charge of raising funds for the erection of the new hospital.

In 1944 he was an alternate delegate to the Republican National Convention and a delegate to the Republican National Convention in 1952.

During World War II, he served as chief air raid warden in charge of Civil Defense in Cecil County.

Judge Rollins was a member of the American Legion and 40 et 8 Society and had served as commander of Cecil Post 15 in Elkton and one term as Judge Advocate of the Legion's Department of Maryland.

He was a member of the Benevolent and Protective Order of Elks, the Kiwanis Club of Elkton and the Knights of Columbus of Elkton.

Judge Rollins received the "Citizen of the Year" award from the Elkton Chamber of Commerce on Feb. 13, 1968.

In 1974 he was general co-chairman of the Cecil County Tricentennial celebration that marked the 300th anniversary of the county's formation.

Born in Baltimore, Judge Rollins was reared there, where he attended public schools. After being graduated from Baltimore City College, he enlisted in the United States Navy.

Later he returned to Baltimore, where he entered the Law School of the University of Maryland from which he was graduated in June, 1922.

In 1921 he became secretary of the Medical Service of the Supreme Bench of Baltimore, with which he was connected until 1927, when he moved to Elkton and entered the private practice of law.

He married the former Miss Elizabeth Regina Andrew in 1925.

In 1931 he was elected state's attorney of Cecil County and served for three successive terms until January, 1943.

Funeral services were scheduled for 11 a.m. today (Wednesday) in Immaculate Conception Roman Catholic Church. Burial was to be in Bethel Cemetery at Chesapeake City.

Survivors include the widow, Elizabeth; a son, Edward D. E. Rollins Jr. of Elkton; two daughters, Mrs. Nancy Rollins Crowgey of Charlotte, N.C., and Mrs. Elizabeth Lloyd Pagano of Vienna, Va., 13 grandchildren and one great-grandchild.

Memorial contributions may be made to Immaculate Conception Church Building Fund.

SPRINKLERS FOR NURSING HOMES

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. RUSSO. Mr. Speaker, I wish to take this opportunity to announce my cosponsorship of H.R. 14406, and to discuss my support for this important legislation.

This legislation requires the installation of automatic sprinkler systems in all nursing homes receiving medicare or medicaid funds. Additionally, it provides direct loans to the affected homes for the purpose of installing these systems.

Between 1951 and 1974 there were, according to statistics compiled by the National Fire Protection Association, 68 nursing home fires in which three or more people died. These fires, known as multiple-death fires, took 629 lives. Moreover, each year some 300 to 500 of our elderly citizens perish in single-death fires.

Elderly Americans living in nursing homes are easily victimized by smoke and flames. The average age of a nursing home resident is 82. These individuals are often plagued by a variety of physical and mental disabilities. Some patients may be heavily sedated or confined by artificial restraints when a fire strikes.

As these fires spread, Mr. Speaker, some patients may struggle with those attempting to rescue them. Others run toward the flames. At times unable to adapt to the realities of advancing age, or unwilling to succumb slowly and painfully to a terminal illness, the elderly may find fire the most accessible method of suicide.

The elderly, then, Mr. Speaker, are tragically easy to kill and, far too often, all too hard to save. That makes it imperative that we in Congress insure that their living quarters are as safe as we can possibly make them. Study after study has shown that there has never been a multiple-death fire in a nursing home equipped with a complete automatic sprinkler system. Approximately one-half of our Nation's 16,500 nursing homes are not required to have automatic sprinklers. H.R. 14406 would help close that gap.

In January and February of this year two nursing home fires in the Chicago area took some 30 lives. I invited the House Select Committee on Aging, which is chaired by the distinguished gentleman from Missouri (Mr. RANDALL) to hold hearings on the problems of the elderly in the Third Congressional District. At those hearings, held in early August, Francis J. Murphy, chief of the Chicago fire department's fire prevention bureau, a man with a wealth of wisdom and experience in these matters, talked about the tragic fire at the Wincrest Nursing Home, in which 23 people perished.

I hope my colleagues will read with care the words of Chief Murphy as he called for the installation of sprinklers in every nursing home.

Mr. MURPHY. Gentleman, you know, your mother, my mother, your father, can we put a price on their body? There is no money in this world that can put a price on their body.

So I say let us go the full route. And the best thing that I know of is a sprinkler system which is 98 percent perfect. So why fool around and why not go for the best.

Mr. Speaker, I hope we will heed the words of Chief Murphy and pass H.R. 14406 as soon as is humanly possible.

THE SPACE PROGRAM'S SURPRISING SPIN-OFFS

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. GOLDWATER. Mr. Speaker, a recent article in the National Observer entitled "The Space Program's Surprising Spin-Offs," outlines the almost incredible down-to-earth benefits our space program has produced.

Since this aspect of the space program is so easily forgotten and ignored, I present the article for my colleagues' edification:

[From the National Observer, July 3, 1976]

THE SPACE PROGRAM'S SURPRISING SPIN-OFFS: SPORTS TOGS, PACEMAKERS, SEWAGE TREATMENT

(By Jaime Friedman)

A Cleveland fireman with specialized medical training rushes to help a 62-year-old woman, a heart-attack victim. Artificial respiration produces no pulse. He pumps an intravenous mixture of dextrose and water into her veins to prevent their collapsing, then tries repeated blows to her chest. Still no response.

In the tense moments that follow, he does something to save her that wasn't possible a year ago. With a two-way radio hookup, he transmits her electrocardiogram to a monitor, in a hospital miles away. Under a doctor's moment-to-moment direction, the fireman uses electroshock to jolt the woman's heart back to beating and keep her alive until she can get intensive medical care.

This device for relaying and monitoring a heart-attack victim's condition is part of a "Telecare" emergency package derived from the Skylab telemetry system that transmits an astronaut's vital signs from space to earth. Now used by rescue squads in Cleveland, Houston, and other cities, Telecare is a dramatic illustration of the many ways advanced space technology is being applied on earth.

DOWN-TO-EARTH APPLICATIONS

The space-exploration program required the development of new inventions in practically every field of science and engineering, among them, metallurgy, chemistry, and electronics. Break-throughs had to be made in miniaturizing products, cutting their weight, and achieving new standards of reliability. There has always been speculation that the technology of the $60 billion space program might have a wide-ranging practical impact on life on earth.

Communications and weather satellites are the most familiar applications of space technology. But there are numerous products in everyday use that appear to have nothing at all to do with the space program yet would not have been developed without it.

Take the suit developed to ensure that astronauts returning from the moon would not contaminate the earth with unknown and possibly dangerous micro-organisms. This special outfit was worn between the time the astronauts splashed down and when they were placed in quarantine on a recovery ship. Today a similar suit has been developed for those children born without normal immunities; the suit envelops the child, has its own purification system, and provides a germ-free environment that lets the easily infected child spend as long as four hours outside hospital confinement.

Take another example. The precise explosive devices created to separate the Gemini space craft from the Titan launch vehicle have now been adapted for the controlled demolition of buildings and bridges. Instead of blasting in all directions, the specially shaped charges cut an entire structure as cleanly as a torch or saw. Placed at the base of the main supports of a building, the charges slice through the girders and the building collapses.

In July the Viking Mars landers will waft gently to that planet's surface, suspended from a large parachute by only three straps. The material used for these straps is five times stronger than steel. A tire company is adapting this material for cords for radial tires that are expected to boost tread life to 10,000 miles.

Xenon-arc lights, developed to test space equipment, have been re-engineered into an intense, battery-powered portable searchlight. It weighs seven pounds, lasts 200 hours, and is 50 times brighter than an auto's high-beam headlights.

PROGRAM PAYS ITS WAY

To get off the ground, the Saturn rocket guzzles thousands of gallons of fuel every minute. Its pumping system is being adapted to douse shipboard fires with huge amounts of sea water.

The transfer of technology from space to other uses has become a major issue for the National Aeronautics and Space Administration in its budgetary battles with Congress and the Administration. For years the moon race produced generous support for the space program. But now that the race is over and earthbound economic and social problems hold the limelight, the once open hand is turning into a tighter and tighter fist. NASA annual budgets have dropped from about $4 billion in 1969, the year of the moon walk, to $3.5 billion in 1976.

Louis Mogavero, director of the NASA Technology Utilization Office, says funds have been cut back because "people aren't aware of the contribution the space program has made to almost every aspect of daily life."

DISSEMINATING INFORMATION

NASA has an ambitious program to disseminate its technological information. "Tech Briefs," a free booklet issued quarterly, announces potentially transferable technological developments. The agency has set up six Industrial Applications Centers around the country, mainly on university campuses, to provide scientific and engineering assistance to industries.

This network can tap a giant data bank that contains more than eight million technical documents and grows by 50,000 documents each month. Several thousand companies use this data bank each year. NASA also has four biomedical teams and three technical-assistance teams to help municipal, state, and Federal agencies adapt space technology to problems in fields such as health, public safety, construction, and transportation.

In co-operation with fire departments in Houston, Los Angeles, and New York City, NASA researchers have developed a lighter, more compact air tank and breathing system for firemen, based on concepts and materials designed for moon walking.

PRACTICAL CONSUMER GOODS

A space contractor who developed a quartz crystal for the precision-timing equipment used in Apollo missions has adapted the device to make more accurate mechanisms for timepieces.

Sportswear manufacturers have taken a form of aluminized mylar, created first for space-suit insulations, to make jackets, ski parkas, sleeping bags, and other gear.

Space technology has been widely applied in medicine. The pacemaker, which delivers small, regular electric shocks to pace an irregular heartbeat, grew out of the miniaturized, solid-state circuitry developed in the space program. Using NASA-developed techniques, industry researchers have now designed a device that recharges the pacemaker's battery from outside the body. Before the life of a pacemaker was about two years. When power ran out, surgery was necessary to implant a new battery. Now, once a week, patients simply put on a charger vest that passes an electromagnetic field through their chests, recharging the battery in an hour.

MEDICAL ADVANCES

A transducer is a small device for monitoring changes in mechanical or sound pressure aboard a space craft. It can pick up the vibration in the wall of a space vehicle and change it into an electrical impulse that can then be printed out by a computer on earth. NASA transducer technology is now being used in early detection of arteriosclerosis, or hardening of the arteries.

The normal test involves inserting a hollow needle into the artery to measure the arterial pulse, a process that is both time-consuming and painful. Now an "arterial pulse wave transducer," placed next to the patient's skin, can determine the flexibility of arteries externally in only a few minutes.

The device uses a transistor that converts the pressure of blood against the walls of the blood vessels into electrical signals; they then can be recorded on an electrocardiograph.

The ability of the space program to compete for Federal funds increasingly will depend on the technological spin-off it can generate. Says Mogavero: "You can see the impact of space technology across the whole economy; in computer science, in farm plows, building materials, packaged foods; in safety devices, sewage treatment, pollution detection, energy conservation, and exploration. Whether these spin-offs are enough to change the doubts about investment in space programs is hard to say."

VOTING RECORD

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. BROWN of Ohio. Mr. Speaker, in a continuing attempt to provide my voting record for the first session of the 94th Congress for the benefit of anyone who would like to examine that record, I would like to have printed here my votes on matters ranging from military construction appropriations to emergency housing assistance. The material follows:

H.R. 10029. MILITARY CONSTRUCTION APPROPRIATIONS FOR FISCAL YEAR 1976

Amendment to delete $64.9 million from the bill for the construction of an armed services medical school in Bethesda, Maryland rejected 161–255, No.

Final passage of a bill to appropriate $3,518,723,000 for Defense Department construction projects in FY 1976 and $359,100,000 for the budget transition period, passed 353–51, Yea; 10–8–75.

Conference report on the bill to appropriate $3,585,014,000 for military construction projects in the U.S. and overseas in FY 1976 and $359.1 million for the budget transition period, passed 349–59; Yea; 11–18–75.

H.R. 5210 MILITARY CONSTRUCTION AUTHORIZATION

Amendment to cut $562,000 from the bill for construction of facilities at Pine Bluff, Arkansas to produce binary nerve gas munitions, adopted 219–185, no; Amendment to cut $64.9 million for continued construction

of the Uniform Health Services University of the Health Sciences at Bethesda, Maryland, rejected 191–221, No.

Final passage of the bill to authorize $4,067,523,000 for military construction projects in FY 1976 and the three month transition period, passed 369–47, Yea; 7–28–75.

H.R. 9721 INTER-AMERICAN DEVELOPMENT BANK

Adoption of the rule (H. Res. 817) providing for House Floor consideration of the bill to authorize $2.25 billion as the U.S. share of the replenishment of the Inter-American Bank and to authorize participation of up to $25 billion in the African development fund, adopted 353–24, Yea; motion to recommit and thus kill the bill to authorize $2.25 billion as the U.S. share of the replenishment of the Inter-American Development Bank and to authorize participation up to $25 million in the African Development Fund, rejected 140–276, Nay.

Final passage of H.R. 9721, passed 249–166, Yea; 12–9–75.

H.R. 3035 TAX AND LOAN ACCOUNTS

Motion to suspend the rules and pass the bill to require the payment of interest on certain funds of the United States held on deposit in commercial banks and to provide for reimbursement to commercial banks for services performed by the Federal government, agreed to 391–0, Yea; 12–15–75.

H. CON. RES. 133 SENSE OF THE CONGRESS

The Federal Reserve should conduct monetary policy in the first half of 1975 so as to lower interest rates, adopted 367–55, Nay; 3–4–75.

Conference report adoption of report of Conduct of Monetary Policy, adopted 335–46, Yea; 3–24–75.

H.R. 4415 INTERGOVERNMENTAL PERSONNEL ACT AMENDMENTS

Amendment to delete a committee provision requiring the Federal government to continue paying 75 percent of the cost of programs to strengthen state and local government personnel systems through October 1, 1978, (Under existing law, the Federal share of the program costs would drop to 50 percent on July 1, 1975), adopted 226–168, Aye; Amendment to the pending Rousselot amendment to delete a section of the bill to authorize grants to employment organizations under certain circumstances, rejected 189–213, Aye.

(The Rousselot amendment which would have barred the use of grant funds for programs relating to labor-management relations subsequently was rejected by voice vote, and the bill was passed by voice vote.)

H.R. 8773 INTERIOR DEPARTMENT APPROPRIATIONS FISCAL YEAR 1976

Amendment to increase appropriations for acquisition of wetlands as a habitat for migratory birds to $10 million from $1 million, adopted 220–203, No; 7–23–75.

Final passage of the bill to appropriate $4,101,962,000 for FY 1976 and $1,143,572,900 for the July 1–September 30, 1976 transition period for the Interior Department and related agencies, passed 417–8, Yea; 7–23–75.

Conference report on the bill to appropriate $4,234,621,000 for FY 1976 and $1,155,538,900 for the July 1–September 30, 1976 transition period for activities of the Interior Department and related agencies, adopted 407–5, Yea; 12–11–75.

H.R. 9005 FOREIGN ECONOMIC AID AUTHORIZATION

Amendment to forbid aid to countries that consistently denied internationally recognized human rights to its citizens, adopted 238–164, No.

Final passage of the bill to authorize $2.9 billion dollars for foreign economic and development assistance for FY 1976 and FY 1977, passed 244–155, Nay; 9–10–75.

Conference report on the bill to authorize $3.1 billion for foreign economic and development assistance for FY 1976 and FY 1977, adopted 265–150, Nay; 12–9–75.

H.R. 5884 COUNCIL ON INTERNATIONAL ECONOMIC POLICY AUTHORIZATION

Final passage of the bill to authorize $1,657,000 in FY 1977 for the Council on International Economic Policy, passed 345–58, Yea; 7–9–75.

H.R. 9968 TAX TREATMENT ON IRRIGATION FACILITIES

Motion to suspend the rules and pass the bill to amend Section 103 of the Internal Revenue Code to grant tax-exempt status for development bonds used to construct dams if they are used substantially for irrigation purposes at a reasonable cost to the public, passed 286–111, Yea; 10–6–75.

H.R. 5900 COMMON-SITE PICKETING

Amendment to require that the issues of the labor dispute at a construction site do not involve employees of an employer who is not engaged primarily in the construction business industry, rejected 176–223, Nay; Amendment to prohibit common-site picketing where state laws require direct and separate contracts on state or municipal projects, agreed to 229–175, Aye; Amendment to prohibit common-site picketing on all direct and separate contracts, rejected 176–222, Aye; Amendment to prohibit an extension of product boycotts to an entire construction site, agreed to 204–188. Aye: Amendment to exempt residential structures less than three stories and without an elevator from the provisions of the bill, rejected 200–202, Aye.

Final passage of the bill to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers through the use of secondary boycotts, passed 230–178, Nay; 7–25–75.

Conference report on the bill to make it legal for a construction union with a grievance against one contractor to picket all the other contractors on the same construction site and to establish a Construction Industry Collective Bargaining Committee, adopted 229–189, Nay; 12–11–75.

H.R. 8069 LABOR-HEW APPROPRIATIONS FY 1976

Amendment to prohibit any funds in the bill from being used by the Occupational Safety and Health to issue penalties for first violations of Federal safety and health rules by firms employing 25 or fewer persons, rejected 186–231, aye; Amendment to appropriate $30,949,000 for maternal and child health programs, adopted 279–138, no.

Final passage of the bill to make appropriations of $44.9-billion for FY 1976 and the subsequent three month transition period, for the Department of Labor, the health and welfare divisions of the Health, Education and Welfare Department and related agencies, passed 368–39, Nay; 6–25–76.

Motion to recommit to conference (and thus kill) the bill to make FY 1976 appropriations for the Departments of Labor, HEW and related agencies, rejected 156–265; Yea.

Conference report to make FY 1976 appropriations of $36,073,748,318 and transition period appropriations of $8,933,216,000 for the Department of Labor, HEW and related agencies, adopted 321–91, Nay; 12–4–75.

Motion to concur with a Senate Amendment barring the Department of HEW from using any funds in the bill to require school districts to bus children beyond their neighborhood schools with a modification to allow HEW to order busing to the school closest or next closest to the student's home, rejected 133–259, yea; 12–4–75.

Question on whether the House should concur in the Senate amendment to prohibit the Department of HEW from using either directly or indirectly any funds in the bill to require school districts to bus students beyond the school closest to their homes for the purpose of school integration, concurred 260–146, No; 12–4–75.

Motion to postpone until January 27, 1976, an override attempt to President Ford's Veto of the bill appropriating $45-billion for the Departments of Labor and HEW and related agencies for FY 1976 and the July-September 1976 transition period, agreed to 319–71, Nay; 12–19–75.

H.R. 9500 CONSTRUCTION INDUSTRY COLLECTIVE BARGAINING

Final passage of the bill to establish within the Department of Labor a committee composed of labor and contractor representatives to assist in negotiating new contracts to stabilize the collective bargaining process within the construction industry, passed 302–95, Nay; 10–7–75.

S. 267 COLORADO NATIONAL FORESTS

Final passage, a motion to suspend the rules and pass the bill to add 235,230 acres in the state of Colorado to the National Wilderness Preservation System, passed 369–1, Yea; 12–1–75.

H.R. 1589 AMEND THE FOOD STAMP ACT OF 1964

Final passage, a bill to prevent an increase in food stamp cost becoming effective 3–1–75, passed 374–38, No; 2–4–75.

H.R. 4592 FOREIGN AID APPROPRIATIONS

Final passage, a bill to provide $3,498,420,000 for FY 1975, adopted 212–201, Nay; 3–13–75.

Conference report passed 193–185, Nay; 3–24–75.

H.R. 7706 DAY CARE CENTERS

Conference report of a bill to suspend the duty on imported natural graphite until 1978 and to suspend staffing requirements for federally funded day care centers until January 31, 1976, adopted 383–10, Yea; 10–9–75.

H.R. 9019 HEALTH MAINTENANCE ORGANIZATION AMENDMENTS

Motion that the House resolve itself into the Committee of the Whole for Floor consideration of the bill, adopted 347–0, Not voting.

Final passage of the bill to modify or repeal provisions of a 1973 act (PL 93–222) providing federal assistance to health maintenance organizations, which provide a range of services to patients who pay a set monthly fee in advance rather than separate fees for each service after it is actually provided, passed 309–45, Not voting; 11–7–75.

H.R. 5546 HEALTH MANPOWER PROGRAMS

Interstate and Foreign Commerce Committee Amendment to require students in health professional schools either to repay the amount of the basic federal assistance paid on their behalf to their schools or to practice in a medically underserved area for as many years as their schools received this assistance in their behalf, adopted 209–153, No; Amendment to delete provisions of the bill that would have limited the number of post-graduate residency training positions in the U.S., beginning in 1978, and require private professional organizations to allocate residency positions by specialty, adopted 207–146, Aye.

Final passage, a bill to authorize $1.76 billion for FY 1976–78 for federal health manpower assistance programs, passed 296–58, Nay; 7–11–75.

H.R. 4925 HEALTH SERVICE PROGRAMS

Motion to recommit to the House Commerce Committee the bill to authorize $1.4 billion in FY 1976–77 for health services programs, including formula grants to states, family planning, community mental health centers, migrant health centers and community health centers for the medically underserved. The bill would also extend the pro-

grams through FY 1975 at the FY 1974 authorization level of $663 million, rejected 9–352, Nay.

S. 66 HEALTH SERVICES PROGRAM

Vote to override Presidential Veto of the bill to authorize $2 billion in FY 1976–78 for federal health service program and the National Health Service Corps, passed 384–43 Nay; 7–29–75.

H.R. 4114 NATIONAL HEALTH SERVICE CORPS

Final passage of a bill to extend and revise the National Health Service Corps program, passed 399–4, Yea; 5–7–75.

H.R. 7988 HEART, LUNG AND BLOOD DISEASES

Final passage of the bill to authorize $1.2 billion over two years, FY 1976–77, for federal programs to combat heart, lung and blood diseases and to provide research training for graduate and post-doctoral students in scientific fields, passed 375–5, Yea; 10–20–75.

H.R. 30 HELLS CANYON

Final passage of the bill to establish the Hells Canyon National Recreation Area in Oregon, Idaho and Washington and thus preventing the proposed construction of two hydroelectric power dams on the Snake River, passed 342–53, Yea; 11–18–75.

H.R. 3787 HIGHWAYS AND THE ENVIRONMENT

Final passage of the motion to suspend the rules and pass the bill to make clear that, if adopted by Federal officials, state-prepared environmental impact statements were acceptable for Federal highway projects in New York, Vermont and Connecticut, passed 275–99, Yea; 4–21–75.

H.R. 8235 FEDERAL AID HIGHWAY PROGRAM

Amendment to reduce annual authorizations for Interstate Highway System construction for FY 1977–78 by $750 million and delete language giving the transportation secretary discretionary authority for distribution of $750 million annually in FY 1977 and FY 1978, rejected 103–309, Aye; Amendments to provide that (1) the cost of interstate highway projects rejected in favor of mass transit or other highway projects be based on 1972 cost estimates; (2) the interstate mileage withdrawn from a system in one state be available for redesignation in another state only; and (3) the proceeds from sale of right-of-way purchased with Highway Trust Fund money be returned to the Federal government, rejected 122–294, Aye; Amendment to roll back the maximum weight of trucks allowed on interstate highways to 73,280 pounds from 80,000, rejected 139–275, Aye; Amendment to allow cities of over 200,000 population that supplied over 50 percent of funds for an area program to plan a highway project and to submit a plan directly to the Transportation Department for funding if the state had not forwarded the plan to the department within a year of the plan's approval, rejected 121–290, No.

Final passage of the bill to authorize $10.94 billion for federal aid highway programs in FY 1977 and FY 1978 and $4 billion annually for construction of segments of the Interstate Highway System through FY 1988, passed 410–7, Yea; 12–18–75.

H.R. 5398 EMERGENCY MORTGAGE RELIEF PROGRAM

Final passage of an authorization of $500 million to establish a temporary Federal loan program to aid unemployed persons faced with the loss of homes due to mortgage defaults, passed 321–21, Yea; 4–14–75.

H. RES 138 SELECT COMMITTEE ON INTELLIGENCE

Amendment to provide Committee with an equal number of Democrats and Republicans, rejected 141–265, Aye.

Adoption of resolution to establish Select Committee on Intelligence to determine whether Federal law agencies (enforcement and intelligence) had engaged in "illegal or improper" activities, passed 286–120, Yea; 2–19–75.

H. RES 591 HOUSE SELECT INTELLIGENCE COMMITTEE

Amendment to abolish the House Select Intelligence Committee established by H. Res. 138 on February 19, rejected 122–293, Aye; Amendment in the nature of a substitute, to abolish Select Intelligence Committee created February 19, and direct the House to create a permanent House-Senate committee on intelligence, rejected 178–230, Aye; Motion that a Committee of the Whole rise, thus halting further debate on the resolution, motion agreed to 242–162, No; Amendment to restrict the House investigation of the U.S. intelligence activities to the Central Intelligence Agency and to lower the membership of the Select Committee from 10 to 7 members, rejected 125–285 Aye; Amendment to allow members of the Select Committee created by H. Res. 138 on February 19 to become members of the new committee authorized by H. Res. 591 if they choose, rejected 119–274, No; 7–17–75.

H. RES. 335 SELECT COMMITTEE ON MIA'S

Adoption of the resolution to establish a select committee to investigate United States servicemen missing in action in Indochina, adopted 394–3, Yea; 9–11–75.

SEN. CON. RES. 23 PRINTING AUTHORIZATION

Motion to recommit the House Administration Committee the resolution to authorize the printing of an additional 20,000 copies of "The Congressional Program of Economic Recovery and Energy Sufficiency," with instructions to substitute Democrat for Congressional, rejected 133–264, Yea.

Final passage of Printing Authorization Resolution, passed 262–138, No; 5–7–75.

H. RES. 46 CODE OF OFFICIAL CONDUCT

Adds clause to H. Rule 43 stating that any member who pleaded guilty to a crime or was convicted and sentenced to two or more years imprisonment, should refrain from voting on the Floor or in Committee, adopted 360–37 Yea; 4–16–75.

H.R. 4485 EMERGENCY HOUSING ASSISTANCE

Motion to order previous question ending further debate and possibility of amendments on rule, H. Res. 337, agreed to 242–142, No; Amendment to Committee amendment to Section 7 to include other areas, rejected 101–274, No; Amendment to provide not more than 50 percent of aggregate mortgage amounts may be allocated for use with respect to existing previously occupied buildings not substantially rehabilitated and for new, unsold dwelling units prior to bill's enactment; no more than 10 percent of aggregate mortgage amounts approved to be allocated with respect to dwelling units valued in excess of $38,000, rejected 46–207, Aye; Amendment requiring that a homeowner commit 25 percent of his income toward payment of principal, interest, taxes and insurance in order to qualify for a mortgage subsidy, rejected 137–229, Aye; Amendment in the nature of a substitute to provide additional housing assistance by expanding 1974 Emergency Home Purchase Assistance Act, rejected 126–242, Aye.

Final passage Emergency Housing Assistance, passed 259–106, Nay; 3–21–75.

HIGHWAY BRIDGE SAFETY NEEDED

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. SHUSTER. Mr. Speaker, a frequently overlooked but enormously important problem in every State in our Nation is highway bridge safety. Like rail-highway grade crossings, it commands little publicity until a tragedy occurs, such as the collapse of the Silver Bridge in West Virginia that claimed 46 lives. Then, the sensationalism of the disaster strikes an anguished chord in the sensibilities of most Americans, which unfortunately fades swiftly and without fanfare. Yet, 150 bridges collapse each and every year, and fully 90,000 bridges are in critical need of replacement.

I am proud that my good friend and colleague from Pennsylvania, H. JOHN HEINZ III, has faced up to this problem and done something about it. Congressman HEINZ, who represents a district in Pennsylvania with 19 unsafe bridges, is not unfamiliar with the problem and has devoted a great deal of time and effort to develop a legislative proposal that makes sense. His bill, the Bridge Safety Act of 1976, would address the nationwide disgrace by focusing on areas of severe need now, while guaranteeing a long-term Federal commitment for repairing or replacing all identified unsafe bridges.

As ranking minority member of the House Surface Transportation Subcommittee, with jurisdiction over bridge programs, I enthusiastically support the Heinz bill as a thoughtful, pragmatic, yet forceful, solution to unsafe bridges, and I commend him for taking the initiative in this critically important area.

In a recent address before the 1976 Republican National Convention Committee on Resolutions, Congressman HEINZ eloquently described the nature and scope of the problem and his proposed solution. Unsafe "killer bridges" have no political affiliation and demands bipartisan attention. Therefore, Mr. Speaker, I include the statement by Congressman HEINZ to be inserted in the RECORD at this point, and I urge my colleagues to carefully heed the message contained therein:

ORAL TESTIMONY OF HON. H. JOHN HEINZ III, AUGUST 9, 1976

I appreciate this opportunity to discuss the very serious issue of unsafe bridges in the United States.

The subject is not exactly alien to most, if not all, of you and certainly not to myself.

Not quite ten years ago the Silver Bridge between Point Pleasant in West Virginia and Kanaqua in Ohio tore loose from its supports and thundered into the Ohio River during the height of the evening rush hour.

The 1,753-foot suspension bridge carried 46 adults and children to their deaths.

Last year, near Winston-Salem, North Carolina, a bridge over the Yadkin River collapsed killing four persons and injuring sixteen others.

And bridges continue to collapse all over our country at the rate of about 150 a year.

Notwithstanding widespread news coverage of these disasters and notwithstanding renewed focus and national attention, State and Federal efforts directed at bridge safety remain totally inadequate.

Spurred by the tragedy at Silver Bridge, Congress established the Special Bridge Reconstruction and Replacement Program as part of the Federal Highway Act of 1970.

Among other things, that Act required the inspection and rating of all bridges in the

nation. The inspection is now almost complete.

The results are not comforting.

Let's take a look at the results, compiled by the United States Department of Transportation;

There are more than 563,000 bridges in the United States;

Of that number 89,800 have been classified as "critically deficient."

That is a euphemism for saying that one out of every six bridges across our great country is a Killer Bridge.

Add to those unhappy results, the following:

407,000 of the 563,0000 bridges in the United States, or 72 per cent, were built prior to 1935.

Most of the older bridges were designed for the lighter, slower traffic of more than a generation earlier and certainly and obviously not for the highspeed, heavier traffic of today.

Let me call to your attention the significant fact that the average age of bridges in the United States is more than 40 years.

And that on August 1 of this year a bridge over the Danube River in Vienna collapsed because of metal fatigue, killing and injuring a number of people.

That bridge over the Danube was exactly 40 years old.

In our traditional dealings with highway problems, we have addressed ourselves to the questions of roads and streets.

Bridges, somehow, were taken for granted—as if there were no major difference between a piece of pavement and the structure needed to cross a river.

For this reason those Killer Bridges still span the countryside, menacing our travelling public with the uncertainty of when it is that they will no longer withstand the ravages of time and inadequate construction.

The problems of the unsafe bridge is nationwide.

It touches every state in our nation.

We must adopt a nationwide solution to the problem.

And we cannot afford to waste any time.

Because tomorrow it might be you or me or our children who are crossing one of our Killer Bridges.

The biggest impediment to bridge safety is money.

During its entire history, the Special Bridge Reconstruction and Replacement Program has not had sufficient funding to carry out its directive. Currently only $180 million is authorized each year for the next two years. But we need, without hesitation, between $10 and $31 billion to replace bridges that currently are classified by the Department of Transportation as being candidates for replacement.

Moreover, these estimates exclude consideration of continued deterioration of presently deficient bridges, normal deterioration of safe bridges, and inflation.

To date, there have been only 670 bridges replaced under the federal program, a rate of about one bridge, per state, per year.

At this rate it will take a minimum of 80 years to bring our Nation's bridges to a standard of safety which citizens of this country have every right to expect.

For those who remember the Silver Bridge disaster, 80 years is too long a time to gamble that more rotting bridges won't collapse.

As an example of the magnitude of the problem in individual states, a 1975 report to Congress by the Comptroller General of the United States listed 960 bridges in my state of Pennsylvania as being unsafe. Allegheny County, my district, has 19 bridges that are candidates for replacement. Yet, Pennsylvania ranks 13th among the states having unsafe bridges. Those that exceed Pennsylvania are as follows: Oklahoma, 2,783; Louisiana, 2,618; Illinois, 2,071; Nebraska, 1,676; Kansas, 1,563; Arkansas, 1,320; West Virginia, 1,180; South Dakota, 1,123; Florida, 1,040; and Georgia, 988.

Recently, I introduced the Bridge Safety Act of 1976.

This act resulted from months of study and consultation with highway and transportation officials throughout the country. The Safety Act recognizes that the problem of unsafe bridges in the United States is so great that it will never be solved by piecemeal legislation.

This Act builds on the present Federal Aid Highway Act by providing $720 million per year for the Special Bridge Reconstruction and Replacement Program, an amount that is realistic and commensurate with the magnitude of the nationwide problem that my Act will solve. It also extends the highway trust fund through 1990 to provide sufficient time to get the job done. Most importantly, this Act provides for the immediate repair of the Killer Bridges, thus reducing the threat to human life. And by repairing these Killer Bridges now, the effect of inflation and the cost of total replacement later will be greatly reduced.

Although the Bridge Safety Act of 1976 will be of great benefit to all states, it also recognizes that for various reasons, including their essentiality for public use, topography, population, length spans, load carrying capacity, certain States and counties depend on bridges much more than others.

This bill directs the Department of Transportation to identify these areas and to give first priority to those with the most critical need.

Moreover, a certain percentage of the total appropriation each year will be set aside so that individual counties may apply for emergency funds, irrespective of their State's appropriation.

The Bridge Safety Act of 1976 is aimed, not at the abandonment of bridges:

But the rehabilitation of bridges.

What we are talking about is what all of us are concerned with;

Making our public resources safe and useful again.

What we are talking about is revitalizing our nation.

UAW LEADER JOINS ENVIRONMENTALISTS' DISASTER LOBBY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. ASHBROOK. Mr. Speaker, the New York Times on May 4 carried a headline which reported the alliance of labor's most radical leader and the radical environmentalists. A few days ago I noted in the RECORD that this same Leonard Woodcock was joining a group of leftists and dupes to advance the cause of giving our Communist enemies in Russia trade advantages and taxpayer support.

One wonders when the rank and file will wake up. Their leaders support forced busing, aid to the Communists, gun control and inflationary spending despite the strong feelings of the average union member for exactly the opposite policies.

How can Leonard Woodcock join those radical zealots who block nuclear generating plants and harm their jobs? The answer is simple: He is a liberal first, last, and always and the rank and file can be damned.

Rank and file workers may well wonder what possible advantages will come from the alliance of their leaders with the disaster lobby of environmental misfits who place jobs and industry on a very low priority. Never mind the gradual loss of American jobs and the increase in imported products because of the environmentalists and Ralph Nader, radical liberals stick together as witnessed by this article:

[From the New York Times, May 4, 1976]

WOODCOCK CALLS FOR AN ALLIANCE OF LABOR AND ENVIRONMENTALISTS

(By Gladwin Hill)

BLACK LAKE, MICH.—One of the nation's top union leaders called last night for a "new alliance" between labor and environmentalists in the political arena to thwart industries' "environmental blackmail" and hasten full employment.

Only such collaboration, said Leonard Woodcock, president of the United Automobile Workers, will help resolve, on the one hand, workers' fear of environmentally induced unemployment and, on the other, some corporations' resistance to pollution abatement.

Mr. Woodcock spoke at the opening of a five-day national conference of 300 union officials, ecology activists and community leaders aimed at exploring common interests and easing friction between environmental and economic progress.

The conference, entitled "Working for Environmental and Economic Justice and Jobs," is sponsored by the U.A.W. and more than 100 other labor, environmental and civic organizations. It is being held at the auto union's Reuther Educational Center here.

CAUGHT IN THE MIDDLE

Initial conference discussion groups brought forth pronounced differences in outlook among the participants, with union officials expressing some of the same apprehensions cited by Mr. Woodcock.

"We often find ourselves caught in the middle between the movement to clean up the environment and our mission of protecting workers' jobs," said Tom Donahue, executive assistant to George Meany, president of the American Federation of Labor and Congress of Industrial Organizations.

"We don't see eye to eye with the environmental community in its opposition to nuclear power. On the other hand, we thoroughly supported legislation to regulate strip mining.

"We haven't agreed with them on banning nonreturnable containers, but we're with them in seeking national land use legislation."

Dr. Barry Commoner, Washington University ecologist, suggested that as a basis toward reconciling the divergent interests law in a needed reorientation of the nation's economy away from "inefficient" use of both energy and capital in ways prejudicial to labor.

He suggested: "We face a big debate on how we're going to devote resources for the common good rather than for private profit. There's a whole question of inventing a new form of socialism."

COMMON CAUSE

Organized labor and the environmental community, Mr. Woodcock said, had common cause in fighting "the corporate tactic of trying to make workers and communities choose between jobs and ending pollution" by threatening to close down or move.

"It's frequently a false conflict," he continued, "but to a worker confronted with the loss of wages, health care benefits and pension rights, it can seem very real."

MARION G. FOWLER'S NOTES ON THE HISTORY OF CANFIELD, OHIO, TRANSCRIBED BY KAY SITTIG

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. CARNEY. Mr. Speaker, in keeping with our Bicentennial celebration, Mrs. Kay Sittig has transcribed the notes of Marion G. Fowler on the History of Canfield, Ohio. Marion Fowler (1890–1973) probably knew more about Canfield than any person. She had an extraordinary memory for people, places, and events, and she took copious notes. Because of her background with the Mahoning Dispatch, a weekly newspaper owned and published by the Fowler family for 91 years, she gathered a great deal of information about the early Western Reserve and Canfield. From the tape recordings, speeches, and notebooks of Marion G. Fowler, as well as from personal conversations with her, Mrs. Kay Sittig produced this history of Canfield.

During the early 1700's, both France and England laid claim to the lands west of the Allegheny Mountains. After the Revolutionary War, 7 of the original 13 States claimed this land. One of the 7, Connecticut, retained a portion of its original claim known as the "Western Reserve." The Connecticut Land Co. purchased this land from the State and sold it to various groups of people. One of these groups bought part of the Reserve now known as Canfield Township. The author traces the journey of one of the members of this group of landowners, Mr. Nathaniel Church.

On May 24, 1798, after nearly a month of rigorous travel on horseback and on foot, eight men led by Nathaniel Church arrived in what is now Canfield. These men spent the spring and summer clearing, surveying, and developing the land. In the spring of the following year, settlers began to move into this area and named it Canfield, in honor of the largest landowner, Judson Canfield.

In 1845, the Ohio State Legislature established a separate county with the county seat at Canfield. At one time, Canfield was larger than Youngstown. Mrs. Sittig points out, however,

As Youngstown increased in size partially due to river transportation which made industry possible, the city began to agitate to have the county seat taken from Canfield to Youngstown. Finally the legislature granted the change and the records were moved in August, 1876. Many tales have been told of how the records were stolen at night but this is pure fiction. Charles C. Fowler, who was born in Canfield June 17, 1859 and spent his entire life in the community, was a teenage boy at the time of the moving of the records. He said there wasn't a hand raised and that one afternoon the records were loaded on forty wagons and taken to Youngstown, without disturbance of any kind. That day, however, was a sad one for the village.

One of the most important events each year in the State of Ohio is the Canfield Fair. The first fair was held in 1847 in a park. Today, the fair covers an area of 212 acres with many fine buildings for the exhibition of clothing, furniture, livestock, appliances, and automobiles. The largest attendance was 449,010 in 1971, the centennial celebration when the fair lasted 6 days. The Canfield Fair still maintains its reputation as one of the finest fairs in the Nation.

In addition to the history of Canfield, Mrs. Sittig includes a pictorial survey of the architecture of Canfield—from the early Georgian style of the colonial period, to the Italianate mode of the post-Civil War period and the Queen Ann style of the Victorian era. One of these houses, known as the Loghurst House, was part of the underground railroad before the Civil War, which served as a station for helping slaves get from the South into Canada.

Mr. Speaker, I would like to take this opportunity to heartily commend Mrs. Kay Sittig for her civic pride in writing this concise and interesting history of Canfield, Ohio, based on the notes of Marion G. Fowler.

THE HOSTILITY TOWARD SOLZHENITSYN

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. McDONALD. Mr. Speaker, the nationally syndicated columnists Rowland Evans and Robert Novak have recently written a column giving additional background on the hostility of the "foreign policy establishment" toward Alexander Solzhenitsyn. The column, appearing in the Washington Post on September 2, 1976, related the circumstances under which Mr. Winston Lord, director of the State Policy Planning Staff, came to call Mr. Solzhenitsyn a "Fascist." That in itself is a strange term for Mr. Lord to use—it is the same term the Communists nearly always apply to their enemies. Anyone who has read Mr. Solzhenitsyn carefully, realizes he still retains a great deal of respect for socialism, while abhorring its brutal excesses, but he is not a Fascist. The real crux of the matter is that Solzhenitsyn was and is speaking about the real world we live in and to accept his views is to see détente for what it really is—surrender on the installment plan. I commend the column to the attention of my colleagues:

THE HOSTILITY TOWARD SOLZHENITSYN

(By Rowland Evans and Robert Novak)

Two days after the Republican national platform extolled Alexander Solzhenitsyn as a "great beacon of human courage and morality," one of Henry Kissinger's top aides used the word "Fascist" in describing the anti-Communist Russian novelist.

The comments were made Aug. 19 by the highly respected Winston Lord, State Department policy planning director, in an off-the-record session with the department's student interns. Some of the interns present quote Lord as saying Solzhenitsyn "is just about a Fascist." Lord says he did not call the writer a Fascist but does not deny using the word.

Behind this unfortunate hyperbole is an undeniable truth: Hostility toward Solzhenitsyn within the policymaking machinery headed by Secretary of State Kissinger has not subsided since June 1975, when it convinced President Ford he should snub the Nobel laureate. At the State Department, Solzhenitsyn is still viewed as a threat to world peace rather than a symbol of freedom.

Judging from his reluctance to accept the Solzhenitsyn plank at Kansas City, Mr. Ford shares this view as he does Dr. Kissinger's other positions. Nor is he likely to be challenged on this point by Jimmy Carter, whose foreign policy advisers agree with Foggy Bottom in branding Solzhenitsyn as a slightly balmy 19th century Russian mystic.

Thus, the bipartisan foreign policy establishment has been successful in downgrading Solzhenitsyn since his triumphant arrival here a year ago. He has been a key target of the detentists, both in the Kremlin and on the State Department's seventh floor.

The view from the seventh floor was revealed in Lord's Aug. 19 session with the student interns when he was asked about Solzhenitsyn. He replied that it had been a mistake not to invite the Russian expatriate to the White House—an admission that is now State Department doctrine.

Lord went on to praise Solzhenitsyn's brilliance and courage but added that his views, if carried out, could threaten world peace. Then, as reported immediately thereafter by one intern and later confirmed by others, Lord said in matter-of-fact tones: "Let's face it, he's just about a Fascist." He concluded by saying Solzhenitsyn fulfilled a desire by many Westerners to feel moral.

When asked to confirm or deny this, Lord told us: "I did not call him a Fascist. He's not a Fascist." As to whether he used the word "Fascist," Lord said he would have to consult the transcript. However, no transcript was kept.

The spirit of what Lord said was faithful to private views held inside the Ford administration. That explains the fierce opposition to any mention of Solzhenitsyn in the Republican platform. When Mr. Ford backed down rather than risk a disastrous floor fight with the Reagan forces, Kissinger was furious. He even threatened to resign the next day if the amendment were accepted (prompting an admonition from one sharp-tongued Ford operative that he ought to quit today, not tomorrow, to generate more delegates for the President).

The Ford-Kissinger attitude is duplicated on the Democratic side. A pro-Solzhenitsyn plank was quietly rejected by the Democratic platform-drafting group and never reappeared in open sessions. Key advisers, contending that Solzhenitsyn has taken on a right-Republican coloration, advise Carter not to raise the matter in speeches or in forthcoming debates with the President.

Since Solzhenitsyn is neither a right-wing Republican nor a Fascist and might be considered rather moderate considering his life's experience, the real objection is not to his ideology but to the threat he poses to detente. That threat was expressed bluntly in the State Department's memorandum to the White House on June 26, 1975:

"The Soviets would probably take White House participation in the affair (a banquet honoring Solzhenitsyn) as either a deliberate negative signal or a sign of administration weakness in the face of domestic anti-Soviet pressures. . . . Not only would a meeting with the President offend the Soviets but it would raise some controversy about Solzhenitsyn's views of the United States and its allies. . . . We recommend that the President not receive Solzhenitsyn."

While that recommendation is now conceded to be a political error, the philosophy behind the memorandum flourishes in the Ford administration. When Winston Lord

told student interns that the Russian expatriate's political views threaten world peace, he was unveiling the hard consensus of the U.S. foreign policy establishment, which now seems the conventional wisdom in Washington.

CULTURAL EDUCATION COLLABORATIVE

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. BRADEMAS. Mr. Speaker, the Boston Globe recently carried a most interesting story concerning the work of the Cultural Education Collaborative of Boston, Mass.

The Cultural Education Collaborative—CEC—is an organization working in cooperation with over 100 cultural institutions and school districts throughout the State of Massachusetts to bring cultural programs to the public schools.

Since the program was originated 3 years ago in Boston, the demand for such services has greatly increased and has spread to other communities in Massachusetts.

Mr. Speaker, I commend the CEC, and its able director, Ms. Anne Hawley, for this innovative use of cultural resources and insert at this point in the RECORD the text of the Globe article:

PUPILS LEARN COLONIAL CRAFTS FROM BOSTON MUSEUM EXPERTS

(By James Worsham and Phyllis Coons)

Michael Reynolds learned about tinsmithing, Ed Hamlett and Mona Lofton found out about colonial dress first-hand and Theresa Barry and Maria Garcia made their own wooden ladle.

All are students at the Champlain Middle School, nestled among the frame houses of working class families in Boston's Dorchester section.

And all are in an American Crafts program, carried out with the aid of Boston's Museum of Fine Arts (MFA), a Fenway landmark that is one of the nation's most prestigious cultural institutions.

The unlikely relationship between the Champlain and the MFA came about as part of the historic Phase 2 desegregation order for Boston's schools in which US District Judge W. Arthur Garrity Jr. enlisted the help of area colleges, universities, cultural institutions and businesses.

The Champlain is one of a score of Boston public schools now benefitting from the Phase 2 "pairings" as well as the outreach approach now being taken by museums and performing arts groups, spurred on by state desegregation aid and a chance to be a part of the historic Boston school desegregation saga.

Museums have for years welcomed students for day-long tours but, says state Education Comr. Gregory Anrig, "here they're taking the institution to the people and finding out how to make it appeal to a great diversity of kids."

It's also part of a national trend, says Gaby Dundin, education director at the Museum of Comparative Zoology at Harvard. "Museums are going to the general public now, and not just seeing themselves as curators and keepers of things," she says.

For the children at the Champlain School, being "paired" with the MFA turned out to be more than just visiting and getting out of schools for a day. This past year, artists came from the MFA and from Sturbridge Village to teach early American crafts. The students—90 of them—learned to work like early Americans and solve some of their problems at woodwork and tinsmith benches in the school basement.

And the experience carried over when they went back to their classroom to study industrial technology, family life, survival problems and government by comparing Colonial patterns to today's.

Bob Harrington, project director at the Champlain, said the program involves all 96 sixth graders at the Champlain and that instruction in their core subjects—English, social studies, science and math—was coordinated with what was being taught in the crafts program.

In addition, he said, all students made at least three trips each to the MFA and went on field trips to Plimoth Plantation and the Saugus Iron Works.

The Champlain is one of 20 Boston schools paired with 14 cultural institutions this year.

The Harvard Museum of Comparative Zoology provided special programs on animals and human cultures for students at the Shaw School in Dorchester and the Fuller School in Jamaica Plain. Students there came to the museum and worked on their program at their schools as well.

The approximately 100 Shaw and Fuller students studied the role of animals in four different human societies: China's T'ang dynasty, late medieval Germany, the classic Mayan culture and a West African tribe.

Part of the project involved the students' putting together their own museum while employing—and reinforcing, say program coordinators—basic skills in social science, science, reading and writing, especially in preparing displays.

Stage One, a performing arts group, worked with 40 students at the Hernandez School in Dorchester, introducing them to the theater world while helping the students write, rehearse and perform their own play, which involved language skills.

Other institutions involved this year included: New England Aquarium, Boston Zoological Society, Dorchester House Arts Program, Concert Dance Company, Museum of Transportation, Theater Workshop of Boston, Pocket Mine Theater, Jazz Coalition, Proposition Theater, Cooperative Artists Institute, Children's Museum and Neighborhood Arts Center.

Joining the programs next year will be eight more institutions bringing the total to 23. They are are Learning Guild, Next Move Workshop, Shakespeare & Co., Children's Art Center, New England Conservatory of Music, Boston Ballet, the Museum of Science and the Theater Company of Boston.

This year, some 6000 Boston school students were involved in the programs, and the Cultural Education Collaborative, which administers the programs, expects 8000 to 9000 Boston children involved in programs next year.

The collaborative, which began as the education project of the Metropolitan Cultural Alliance, screens proposals before sending them to the State Dept. of Education as candidates for state desegregation did under the 1974 amendments to the 1965 racial imbalance law.

Anne Hawley, director of the collaborative, says that for the next year, each of Boston's nine school districts has been allocated a certain amount of money for cultural institution pairings.

Programs are being proposed and approved in that context.

This format fits in with the state Dept. of Education's aim of spreading state and Federal funds more evenly among Boston's 162 public schools, she added.

Hawley said that several programs at the Hernandez School are tailored for bilingual students, and that many programs had included special education students, which under Massachusetts law, are integrated with regular students.

Looking beyond the current pairings in Boston, Hawley said: "I would like to see programs become an integral part of the school curriculum and that we could develop a funding for it."

To that end, the collaborative, even before its break with the alliance, had sought passage of a bill in the Legislature to authorize programs that would encourage school systems to make use of the education programs offered by cultural institutions. The bill has passed the Senate and is now in House committee.

The measure only authorizes programs. A separate appropriation bill would have to be filed later. A study found that 100 of the state's cultural institutions could provide field trips or performances for two million students and in-depth programs for 47,000.

Hawley said that many institution officials see the pairings with Boston's schools as a way to expand their educational programs. As a result, she said, a number of institutions have brought on education directors, many of them former teachers.

Marion VanArsdell, a member of the Citywide Education Coalition who has monitored some of the school pairings with cultural institutions and screened some proposals, said that while "some of the programs are excellent" others suffered from little coordination between a school and an institution before the project was approved.

That situation, she says, is improving for next year. But she said the situation is still a long way from being a "marketplace" so that parents, teachers and students from a school can choose any museum or performing arts program they want for their children.

Even though some parents feel the programs are "fluff" when their children really need basic skills, she said, "these kinds of programs can offer a lot to the Boston schools in that children can learn a lot of reading and math if they really get interested in their (museum) project."

Anrig sees the cultural institution pairings in Phase 2 as an expansion of their roles. "They've been open in the past, but never in a way in which they can get their teeth into working with a school," he said.

"The cultural institutions have had to change" says Anrig, "and I think that's healthy."

A COMMENT ON THE GAO'S SYNTHETIC FUEL REPORT

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. BROWN of California. Mr. Speaker, earlier this week the Committee on Science and Technology and the Committee on Interstate and Foreign Commerce held open hearings to review the conclusions of the General Accounting Office concerning synthetic fuel development in the United States. Many Members were concerned with the conclusions of this report, which were quite negative toward synthetic fuel demonstration projects, at least partly because the GAO report differed so dramatically from other reports on the same subject.

My own observations on the GAO report dealt with the energy demand and price assumptions used by the GAO. While it is necessary to make some assumptions, the continued demand for

liquid fuels and gas is unlikely to end, and the need for domestic production of synthetic fuels is likely to grow.

Obviously there are alternatives to oil and gas that are more desirable than synthetic fuel, such as energy conservation and solar energy. Unfortunately, the energy demand is not going down as rapidly as I would like to see.

The Los Angeles Times reviewed this same GAO report, and had similar reaction.

I would like to insert this editorial in the RECORD at this time:

SYNTHETIC FUEL: A SYNTHETIC VIEW

The General Accounting Office is a highly respected agency that, in its role as a fiscal watchdog, has done a lot to advance the cause of more efficiency and less waste in government spending. Unfortunately, the GAO has taken a very shortsighted view in its study of synthetic-fuel development.

In a report released last week, the agency concluded that oil and gas produced synthetically from shale or coal are "not price-competitive" with foreign petroleum, and that the federal government should therefore refrain from subsidizing expensive projects for synthetic-fuel development.

It would be better national policy, the GAO suggested, to emphasize energy-conservation measures and development of solar and geothermal energy—meanwhile depending, to the extent necessary, on rising oil imports.

Oil produced from coal or oil shale could cost as much as $18 a barrel, the report pointed out, compared with the present price of $12 a barrel for imported petroleum. Gas produced from coal would cost roughly twice as much as the ceiling price recently set by the federal power commission for new natural-gas supplies.

There is no question that, partly as a result of environmental considerations, synthetic-fuel technology is still uncertain. Knowledgeable people understand that synthetic fuels are almost sure to cost more than the present price of oil. But it is a long leap from there to the conclusion that growing reliance on imported oil is a sensible alternative.

There is no reason to assume, as the GAO did in making its cost-effectiveness comparisons, that foreign oil will continue to sell for $12 per barrel. The Organization of Petroleum Exporting Countries is widely expected to agree on a new price increase later this year, to the degree that U.S. reliance on the foreign oil producers' cartel increases, further price boosts are bound to occur.

U.S. dependence on foreign oil supplies already is far higher than at the time of the Arab oil embargo. And with imports from Canada and Venezuela down sharply, the reliance on Arab oil has doubled in the past year alone.

Even in the absence of another embargo, there can be no guarantee that Saudi Arabia, the chief Arab oil producer, will continually increase its output to satisfy U.S. needs if a policy of holding the oil in the ground might suit its own needs better.

A vigorously pursued energy-conservation program will help; so will oil from Alaska's North Slope and from expanded offshore production. But this country has vast reserves of oil shale and coal that must be exploited as part of a sensible long-range national energy policy.

Very real obstacles exist—economic, technological and environmental. The name of the game, however, must be to recognize these problems and overcome them as soon as possible.

Synthetic-fuel production would be expensive, but excessive reliance on undependable, cartel-controlled foreign oil would be even more expensive.

CONGRESSMAN JOHNSON OF PENNSYLVANIA URGES THOROUGH STUDY OF FTC HOLDER-IN-DUE-COURSE RULING

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I appreciate this opportunity to offer additional remarks with respect to a trade regulation rule which has been promulgated by the Federal Trade Commission pursuant to the Magnuson-Moss warranty—Federal Trade Commission Improvement Act—Public Law 93-637—and a proposed amendment to that trade regulation rule. The rule requires that a prescribed notice be included in consumer credit contracts in order to foreclose the possibility of a creditor becoming a holder-in-due-course or an assignee or lender not subject to consumers' claims and defenses.

Mr. Speaker, I believe the Commission has failed to adhere to congressional intent both as to the manner in which the preservation of consumers' claims and defenses rule was promulgated and to the rule's unlimited application. I addressed this aspect of my concern on August 10, 1976, and the appropriate remarks appeared in the CONGRESSIONAL RECORD.

In those remarks I stated that the rule as presently drafted would have a pervasive effect upon all participants in this Nation's consumer credit community and that adverse ramifications may abound for marginal and low-income consumers due to the fact that the financial institutions of this Nation may be exposed to inequitable and innumerable legal actions.

As you are aware, the rule pertaining to sellers became effective May 14, 1976, and the proposed amendment applicable to creditors is presently before the Commission. The Commission has clarified the seller rule to some degree, however, additional clarifications and necessary refinements remain.

Mr. Speaker, my concern as voiced earlier last month appears to have been appropriate. Recently, hearings have been conducted by the Subcommittee on Consumer Protection and Finance of the Committee on Interstate and Foreign Commerce. The testimony offered at these hearings clearly discloses the confusion surrounding this rule and the apprehension existent within the consumer credit community. A factual editorial with respect to these hearings appeared in yesterday's issue of the American Banker. The editorial concludes with this statement:

But the surveys presented so far to the House Subcommittee demonstrate most clearly that statistics can be found to speak on any side of an issue, and what is needed here is a thorough, objective study of the effects of the FTC rule.

I wholeheartedly concur with this concluding statement. I believe Congress should rigorously examine in detail not only the Commission's action, but the rule's possible effect upon our Nation's economy. I have joined Mr. BROYHILL of North Carolina and Mr. MCCOLLISTER of Nebraska in cosponsoring H.R. 15082. Briefly, H.R. 15082 will suspend, pending review, the effect of the Commission rule. The General Accounting Office is directed to examine the Commission's basis for issuing the rule, the effect of the rule on consumer credit markets and present avenues of consumer redress for grievances arising from consumer sales. GAO will then submit its written report to Congress and the Commission as to its findings and recommendations on the desirability of promulgating the rule. Having considered the report and followed appropriate rulemaking procedures, the Commission may repeal the rule or give it effect either in its present form or as amended.

Mr. Speaker, H.R. 15082 provides the "prudent gradualism" needed at this time:

IMPACT OF DUE-COURSE CHANGE: BANKS VS. FTC

A Federal Trade Commission rule abolishing the holder-in-due-course doctrine went into effect last May 14 amid predictions of a serious impact on consumer lending and the economy.

A period of less than four months is too short to gauge the effect with any certainty, but several attempts have been made and results of surveys released. The findings differ.

"To date, elimination of holder-in-due-course provisions has had little impact on the consumer credit policies, practices and activities," said the FTC itself.

That agency, which has spent more than five years formulating its rule, engaged the firm of Yankelovich, Skelly & White to interview 127 lending institutions in four states. The FTC submitted some of the preliminary results to Congress last week.

Two banking organizations presented their findings Tuesday to the subcommittee on consumer protection and finance of the House Interstate and Foreign Commerce Committee, and viewed the results with foreboding.

Whereas the Yankelovich/FTC survey reached only about 20 banks, the American Bankers Association surveyed 104 banks and said a significant number have begun to cut back on several types of indirect loans.

Walter W. Vaughan, vice president of Lincoln First Bank of Rochester, N.Y., testifying for the ABA, said the banks cutting back on indirect home improvement loans increased from 13% in April to 24% in July, and those cutting back on indirect auto loans increased from 7% to 13% in the same period.

"The cutback in direct loans was not discernible," Mr. Vaughan went on, "presumably because many banks have been advised by counsel that direct loans are not yet subject to the FTC rule."

The Independent Bankers Association of America surveyed its members on Aug. 7 and obtained responses from 1,784. Chales O. Maddox Jr., IBAA president, said they show the FTC rule cannot be justified, "given the disruptions it is causing for consumers and small businessmen obtaining financing."

Mr. Maddox said 61% of the IBAA banks cut back auto loans as a result of the rule and 51% cut back mobile-home loans. Of the banks which have not curtailed lending, most have taken steps to reduce their liability by the use of recourse agreements or tightening lending policies.

In reporting on the Yankelovich survey, the FTC said virtually no lenders had changed their interest rates on direct loans. Mr. Maddox said 326 of the IBAA respondents had increased their rates as a result of

the FTC rule. But he said at least 600 of the banks do not buy or sell consumer paper, so they would not have felt the full impact.

The FTC and ABA also differ in their findings on dealer relationships.

Said the FTC: "Except in six out of 123 cases, cutoffs of dealers have been selective, affecting at most 13% of the total number of dealers dealt with by any given lender. Lenders described the dealers they have cut off as 'shady' and 'fly-by-nights.'"

Said the ABA: "A number of banks reported significant reductions in the number of dealers from which they purchase indirect consumer loans."

To substantiate this, Mr. Vaughan said 31% of the ABA respondents reduced the number of dealers from whom they purchase consumer loans by an average of 6.6, and only 14% increased them, by an average of 6.2 dealers.

Furthermore, he said that six weeks after the FTC rule went into effect, responding banks had reduced the number of auto dealers from whom they purchase loans by an average 3.5%. Since the full impact is months away, Mr. Vaughan said, this six-week decline of 3.5% is significant.

But the surveys presented so far to the House subcommittee demonstrate most clearly that statistics can be found to speak on any side of an issue, and what is needed here is a thorough, objective study of the effects of the FTC rule.

FOOD STAMP REFORM BILL NEGLECTS NEEDY

HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. RICHMOND. Mr. Speaker, my colleague GEORGE BROWN, JR., and I have joined together in opposing the food stamp reform bill recently reported by the Agriculture Committee. We believe it is a step backward in our commitment to end hunger and malnutrition.

For the benefit of our colleagues who may not be familiar with the final committee bill, I am inserting our dissenting views in the RECORD. I hope they will be read with an understanding of the need to restore cutbacks and legislate meaningful reform on the House floor:

DISSENTING VIEWS TO H.R. 13613

We would have preferred, after three month's effort at reforming the Food Stamp Program, to join our colleagues and endorse the Committee bill, H.R. 13613. Unfortunately, the Committee has taken the path of least resistance. It has voted 21–19 to report a bill which pleases no one and angers as few as possible, while allowing members to say, "we've done something about the Food Stamp mess." We refuse to endorse an effort that stops short of true food stamp reform and which is a step backward in our commitment to end hunger and malnutrition in this nation.

Certainly the program, and the needy millions who depend on its assistance, deserve more than the Committee has offered. The program does need reform but the Committee has not faced up to that task. In our view, reform is *not* simply reducing benefits; it is *not* solely saving money. True reform is guaranteeing that those who need assistance to obtain a nutritionally adequate diet receive it.

MISINFORMATION ABOUT THE PROGRAM

The Committee started its work under the weight of a distorted public view of the Food Stamp Program, a view shared by many Members of Congress. This public perception was not based on fact, but instead formed by overblown rhetoric, political partisanship, and a number of simple manipulations of the truth. It was fueled by deceptive advertisements in the national media ("You can make up to $16,000 a year and qualify for Food Stamps"), by the Ford Administration's use of public forums to feed prejudices ("a well known haven for chiselers and rip-off artists") and by creating false perceptions ("The Program has gone 'out of control'"). Certainly we would be furious if the ranks of food stamp recipients were filled with people earning $16,000; we could not tolerate scores of cheats robbing the public till; and we would indeed be worried if any program we created had gone beserk. But the facts simply do not support those charges.

PROGRAM FACTS

A. Participants

At the commencement of the Committee's efforts, the Committee staff undertook a major study of food stamp recipients to determine their economic make-up and living circumstances. The study confirmed what many of us had learned from previous USDA data: food stamp participants are among the poorest of the poor, and there were very few households with high incomes participating in the Program. The Committee study—and later USDA investigations—shows that the average food stamp household has an average income of less than $300 per month, that only four percent of all households have gross incomes exceeding $7,500, and that nearly all households who are above this level are large working families who qualify for food stamps because they are permitted to deduct taxes and work-related expenses from their gross incomes.

B. Fraud and error rates

According to the data USDA has, the fraud rate in the program appears to be very low. The problem's complexity and demeaning application procedures—has been confused with recipient fraud. Such confusion only distorts the character of the people who use food stamps and improperly creates public hostility to the program. In addition, USDA's accounting procedures, which lump such things as failure to properly fill out forms or missing signatures, together with incorrect benefit computations, create distortions of the true error rates.

C. Program expansion

Most importantly, we have learned that the program expanded because of some very logical and sensible reasons. The growth of the Program for the years prior to 1974 was caused by expansion from a pilot program to the food stamp program—a switchover mandated by an act of Congress passed in 1973. The other aspect of this Program expansion was that many counties entered a food program for the first time, a stage of expansion which was completed in 1974 because of a requirement in the 1973 legislation.

The major factor in the post-1974 expansion—the growth that triggered such hysterical reactions from Treasury Secretary Simon, among others were the economic policies initiated by the Secretary himself and the Ford Administration. Unemployment jumped 60 percent between August 1974 and spring 1975, and food stamp participation increased only 30 percent. For all too many Americans out of work, food stamps made the difference between undernutrition and a more decent diet. Significantly, as unemployment has lessened to some degree, food stamp participation has decreased radically, as have program costs. In the last three months alone, over one million people have left the program; projected fiscal 1977 costs have been lowered $1.8 billion from the Administration's figure of $7.3 billion one year ago. The Congressional Budget Office currently projects a cost of $5.5 billion.

THE PROBLEMS IN THE PROGRAM

True reform of the Food Stamp Program involves rewriting the law so that the benefit delivery system is structured to encourage participation, not discourage it. True reform would have attacked the problems that plague the program: 1) participation by only half of the people who are eligible; 2) an administrative morass that makes applying for food stamps a cumbersome and time-consuming task; 3) overly-complex bookkeeping and application procedures that create error by both the states and recipients; 4) food stamp purchase prices that too many indigent citizens cannot afford; 5) a food plan that perpetuates the inadequate diets we are trying to improve; and 6) a program that forces people to suffer a stigma they do not deserve.

The Committee worked hard, and the Chairman deserves credit for his attempt to balance the great diversity of views and legislative proposals before him. The bill he offered the Committee at the outset was an approach we thought merited our consideration; and, with minor variations, one which moved in the direction of real Food Stamp Program reform. However, in the process of its work, the Committee was sidetracked to a final bill that does not meet the needs of the people the program should serve.

THE COMMITTEE BILL

Unfortunately, too many of our colleagues on the Agriculture Committee and their constituents—have bought the false arguments and myths and reported a bill designed to be acceptable to critics, rather than true reform.

These distorted views are reflected in a bill that cuts $184 million in benefits for current participants; eliminates almost half a million households from the program; reduces benefits for another 1.5 million households; and otherwise limits the program's flexibility to meet the needs of the unemployed, underemployed, and low-income working households to adequately nourish themselves and their famillies.

A. The standard deduction is too low

The major problem with the bill is its standard deduction—the amounts by which households lower their gross income in order to measure disposable income.

A standard deduction is, of course, a step forward in program administration. It should help reduce error and simplify application. But the deduction levels in the Committee bill are so low—much lower than either the Senate bill or the Administration's regulations that they have a dramatic adverse effect on program participants.

Smaller households are especially hurt by the bill's provisions, especially one-and-two-person households, two-thirds of which are headed by non-elderly persons. These one-and-two-person households are harmed because their standard deductions—$45 and $55 per month respectively—are too low to meet high living costs in urban areas, high medical expenses for the elderly, high fuel costs in colder areas and other living expenses.

Households headed by women are the hardest hit by the bill. Of all the one-two-and-three-person households in the program—the households which receive a disproportionate share of reductions under the bill—about 69% are female-headed. And nearly 80% of the women who head these households are not elderly, thus ineligible

for the extra $25 deduction accorded to the aged. Under the Committee bill, 50% of all two-person households would either be cut off the program or lose needed assistance; and 46% of the three-person household would be terminated from the program or lose benefits.

In addition, the bill takes square aim at urban food stamp recipients. Based on preliminary data from the Committee staff, participants living in counties with a population of at least 100,000 people would lose several hundred million dollars a year in benefits. Counties with populations in excess of one million people—the major urban areas—are the hardest hit due to higher living costs in the big cities.

These cutbacks result from the fixed standard deduction scheme in the Committee bill. The bill's standard deductions are the same for all counties in the country, regardless of population. This formula is at odds with findings in the Committee staff's study of non-public assistance households which showed that deductions increased as the county population increased. For example, the average deduction claimed in counties with populations below 25,000 people was $52.61 in April, 1975; the corresponding figure for households in counties with populations exceeding one million was $113.89, a $61.28 difference. For the deductions allowed for shelter and utilities alone, there was almost a $50 differential between the low population area and the higher. The result of this non-regionalized deduction formula, then, is to redistribute benefits to smaller population centers to the detriment of more urban areas.

The fixed deduction is largely responsible for the harsh treatment accorded certain regions of the country under the Committee bill. Again based on Committee staff findings the northeast region would lose 14% of its benefits and the northwest would lose significant assistance as well. Participants in these areas, under the current rules, are allowed to subtract a portion of their higher shelter and fuel costs, a practice which would be ended under the non-regionalized standard deductions in the Committee bill.

B. The poverty line is an inadequate measure of program eligibility

The Committee bill sets the program's eligibility level at the "poverty line", $5,500 for a family of four. We do not think the poverty line is an adequate measure of the need for food assistance. It is unreasonably low—especially for urban areas—and as such is not a proper device to which food stamp eligibility should be linked. We prefer the current program's method of using coupon allotments to determine net income eligibility levels. The poverty line figure in virtually all the proposed legislation is nothing more than a response to cries that the rich are using food stamps—a patently false issue disproven by the Committee's own study.

C. Prohibiting categorical eligibility increases administrative costs and reduces participation

There are two provisions in the bill which will significantly increase program costs to the states. The first is prohibiting the current practice of "categorical eligibility," through which all public assistance recipients and Supplemental Security Income (SSI) recipients are deemed automatically eligible for food stamp assistance if they live alone or with other such recipients. Since virtually all, if not all, these people would be eligible in any case by virtue of their low income, the advantage of "categorical eligibility" is twofold. It is an important administrative convenience and ensures that these eligible people are enrolled in a program in which currently only 50% of those eligible are participating.

With categorical eligibility, there is no need for welfare households to submit a separate food stamp application; their benefits are automatically determined on the basis of their grant levels, minus deductions, and their authorization to purchase cards are automatically processed. The result is a significant savings on administrative costs. If the practice were eliminated, it would increase administrative costs for the states and administrative obstacles for participants, without serving any positive program purpose nor more effectively targeting benefits.

D. State cost sharing is a step backward in the effort to federalize welfare costs

The second provision which increases state costs is the requirement that, effective October 1977, states must pay for two percent of the "bonus value" of stamps received by their participants (The "bonus" is the difference between what the household pays and what it receives in food stamps). This move to force the state to shoulder a percentage of the benefits comes at a time when state funds are severely strained. This provision is estimated to cost the states $104 million. This requirement is also counter-productive to the purposes of the Food Stamp Program. In virtually all states, the money to fulfill the cost sharing requirement will come from welfare budgets. as a result end up increasing food stamp welfare assistance states may provide and as a resut end up increasing food stamp benefits and food stamp costs.

E. Striking workers should not be discriminated against by the government

The "strikers issue" has been a fiercely debated issue in many Congresses, and has always been resolved in favor of treating strikers in the same manner as all other households: if they are in need and meet the income and assets test, they receive assistance; if not, they are ineligible. We believe the government should be neutral in labor disputes. If the Congress were to discriminate against strikers by not providing food stamps, we would be ending that neutrality. Moreover, we feel a very real compassion for the families of strikers who had no say in a strike vote, especially those workers and their families who were in the minority opposed to the strike. Workers do not like to strike and the collective bargaining process should be allowed to operate unencumbered by government heavy-handedness. Moreover, most strikers do not use food stamps, or at any rate, strikers compose an insignificant percentage of food stamp participants. The staff of the Committee found that only 0.2% of food stamp households, only 5200 people were headed by a striker on April, 1975.

F. Poor people should not be deprived food stamps because they are students

The bill also eliminates all students, regardless of economic circumstances, unless they have dependents. We do not favor non-needy students receiving food stamp aid. But we object strongly to the blanket assumption that students do not need food assistance. In opposing the bill's ban on most students, we are not advocating on behalf of the person from a well-to-do family who has chosen to be "poor"; we are concerned, however, about the members of a poor family who are struggling to improve themselves educationally and whose limited resources are tied up in the cost of obtaining an education. Since the Committee's and USDA's studies have shown that only about 1.3% or 200,000 food stamp users are students or their dependents, we believe we should maintain the current rules regarding students—which allow students to receive food stamps if they are financially eligible and if they are not claimed as tax dependents by another household.

G. Increased purchase requirement reduces benefits

The Committee bill increases the purchase requirement for all non-elderly households to 27.5% of net income. Currently, the average purchase price for all households is 25.6%; for one-and-two-person households it is closer to 20%. To raise the purchase requirement higher than it already is (while the average American is only paying 17% of his income for food) only reduces further the amount of nutrients available with food stamps. Recipients will be forced to spend more money from their own pockets to buy the same amount of food they are currently purchasing under the Food Stamp Program.

H. Reduced outreach means eligible households will not participate

Currently, states are required to conduct outreach activities that "insure the participation of eligible households." This language formed the basis of a 1974 federal court decision requiring expanded state outreach programs.

Under the Committee bill, this language is dropped, and states will no longer have to take the affirmative action required by the 1974 court decision. In fact, in areas where a community action agency is conducting outreach, state outreach programs would be limited to "informational efforts" only.

Such disregard for the more than 15 million eligible persons who are not participating in the program will continue to impair the effectiveness of food stamp assistance. Those who truly want to reform the program should consider whether reform goals are served by ignoring malnutrition and not reaching out to the malnourished and undernourished or by attempting to provide nutritional assistance to all those in need, particularly those not now participating.

TRUE REFORMS IN THE COMMITTEE BILL

The bill contains some features which deserve to be called true food stamp reform. There are obvious shortcomings with using an inflexible standard deduction system, although the Chairman's approach to gearing such deductions to household size is an improvement over the Senate bill. We also applaud the efforts to maintain the work incentives—allowing the deduction of work-related expenses and income taxes—which are part of the current program.

In this regard, Representative Heckler's amendment in the Committee to deduct the cost of child care from the computation of food stamp income is an especially worthwhile provision. It simply makes no sense to count as "income" funds needed to pay for expenses that allow a person to work.

Mr. Jefford's successful effort to "cash-out" the elderly, blind and disabled moves in the proper direction of reform. It recognized one of the most serious obstacles to food stamp participation for the poor—the purchase price—while also understanding the stigma felt by many food stamp recipients, especially the elderly.

Unfortunately, the Jeffords amendment has a limited effect in that it eliminates the purchase requirement only for the aged, blind and disabled, and not for the entire food stamp caseload. The total elimination of the purchase requirement which limits the participation of the poor and near poor in the food stamp program is the step that should have been taken. To give people their food stamp "bonus" at no cost would not increase benefits; it would simply allow those targetted in need of assistance to get it. This programmatic change is needed because many eligible recipients, especially the poorest of the poor, cannot scrape together enough cash to afford the purchase price. Rather than tie up needed cash in food stamps, many poor people feel the need to use the cash for

extra expenses which always come up. As a result, they cannot afford their stamps and run out of food in the third week of the month. Elimination of the purchase requirement is an idea whose time has come.

CORRECTIVE LEGISLATIVE ACTION

Overall, H.R. 13613 as reported eliminates 7.2% of all food stamp households (1¼ million people) from the program, reduces benefits to another one-third of the households, and increases benefits to one-third of the households. Conservative critics of the program will attempt further cutbacks on the House Floor.

At a minimum supporters of food stamp reform should focus their efforts on four key areas during floor consideration:

Strong opposition to any further cutbacks in the Committee bill and to any amendments that would terminate or reduce benefits for additional recipients.

Support for an amendment to raise the standard deductions in the Committee bill, especially for small households. As the bill now stands, over half of all one and two person households would have their benefits reduced or terminated because the standard deductions are so low.

Support for an amendment to eliminate from the Committee bill a requirement that states pay two percent of food stamp bonus costs. In many states, the money would come out of already strained welfare budgets and could lead to lower welfare payments.

Support for an amendment to eliminate the ban on households containing a striker and to allow these households to continue to face the same eligibility requirements as everyone else.

If these positions are not maintained, the bill should be defeated and an attempt made to legislate meaningful reform next year.

AN INNOVATIVE APPROACH TO THE ISSUE OF WHETHER WE NEED A PERMANENT "WATERGATE" PROSECUTOR

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. JAMES V. STANTON. Mr. Speaker, one of the important issues confronting our Nation is whether we ought to establish by statute a permanent special prosecutor with jurisdiction over crimes committed by Federal officials. On September 1 my administrative assistant, Sanford Watzman, appeared before a Subcommittee of the House Judiciary Committee and shared with that distinguished panel some of his ideas on this subject. Because the ideas are new and innovative, I commend them to the attention of the House as a whole and, therefore, I insert Mr. Watzman's testimony in the RECORD:

STATEMENT OF SANFORD WATZMAN

Mr. Chairman, I deeply appreciate your affording me an opportunity to appear here today. Before the Watergate incident occurred, I had become interested in the matter that is now before this Subcommittee—whether we can establish in the federal government some institutional mechanism to assure the American people appropriate action will be taken against executive, legislative and judicial officials who violate the public trust.

I became interested when I was an investigative reporter and Washington correspondent for the Cleveland Plain Dealer, and I wrote a book which concluded with some suggestions for dealing with this problem. Respectfully, I submit that these proposals might be helpful today to your Subcommittee, which is considering whether there ought to be a "Watergate" prosecutor in the Justice Department and, if so, how that office ought to be structured and how much authority the incumbent should have. I happen to believe, Mr. Chairman, it is possible to take a different route to the goal all of us are seeking—that we can adopt a strategy giving us most of the benefits of an independent prosecutor while avoiding many of the pitfalls that are inherent in the proposals already before you.

It is proper to ask first, I suppose, whether it is advisable for the Congress to take any action at all. Given the nature of human beings and of government, won't there always be a Watergate somewhere on the horizon, and—as a practical matter—can we really avert the more frequent mini-Watergates that historically have been part of our day-to-day political environment? And, besides, do we not have a system that has already proved itself to be self-cleansing? Have we not deposed both a President and a Vice President, and a few years earlier, a Justice of the Supreme Court—and, more recently, certain leaders of this Congress?

These of course are leading questions, and I think it behooves us to be careful. For the indicated answers, however valid, simply are not going to be acceptable to the American people. Americans never have adhered to the proposition that official wrongdoing is inevitable—that they are indeed fortunate when it is held to some putative irreducible minimum. If in every generation the media keep erupting with stories about government scandals, obviously this is because Americans continue to care; they think something ought to be done about the wrongdoing. In fact, they have been conditioned to believe it is possible to enact laws forcing public officials into an ethical straitjacket.

The conditioning stems from the admiration we hold for our Founding Fathers. We have been taught that they were not fools. As historian Richard Hofstadter put it: "To them, a human being was an atom of self-interest. They did not believe in man, but they did believe in the power of a good political constitution to control him." The men who prompted the most worry, of course, were those who were about to be granted powers over the rest of us. So a good nontrusting Constitution was adopted, with checks and balances and a separation of powers. But if, even then, we have become preoccupied over these last 200 years with adding still more controls, this is because our education has programmed us to go on with the task—not to be satisfied with slow progress, however steady it might be. Rather, we continue to take our cue—and our goal—from that passage in the Federalist Papers which states: "The aim of every political constitution is, or ought to be, first to obtain for rulers men who possess the most wisdom to discern, and most virtue to pursue, the common good of society; and in the next place, to take the most effectual precautions for keeping them virtuous whilst they continue to hold their public trust." All of this was summed up by Mr. Dooley, Finley Peter Dunne's political commentator, when he said: "Trust everyone—but cut the cards."

I submit, Mr. Chairman, that as I see it there is an overriding reason why this task still remains to be completed after 200 years. It is this: Contrary to the spirit of our Constitution, we have settled into a rut where in every decade we deal only reactively with incidents of malfeasance. If and when we are finally moved to lift a finger we keep putting it in the dike. We have never seized the problem with both hands, as it were, in an attempt to master it preemptively and comprehensively. In this area, and in my opinion for self-serving reasons, the government officials who say they are interested in reform march only to the border where they find a separation of powers—and then they declare there can be no crossing.

The result is that a system of ethical surveillance has evolved which, by and large, finds each branch of the government looking after itself—drafting general rules of conduct for its personnel and then deciding when to enforce or not to enforce them. This has brought us not only disparity between the branches but internal disorder as well in all three. In the judiciary, conflict-of-interest rules are promulgated by a Judicial Conference with dubious enforcement powers; some judges of the lower courts reject its authority, and the Conference itself acknowledges it has no jurisdiction over the nine justices of the Supreme Court. In the Congress, there is one code for the Senate and another for the House, with no ongoing program in either chamber to verify the completeness or accuracy of Members' disclosure statements. In the executive branch, the situation has not changed much since a detailed study in 1960 concluded: "Regardless of the administration in office, the Presidency has not provided central leadership for the executive branch as a whole. . . . Administration of conflict-of-interest restraints can be observed only on a fragmented basis—department by department, agency by agency."

No wonder the citizen loses patience. No wonder there is a growing distrust of government. For however we might differentiate ourselves here in Washington, we of the three branches are seen by the people as part of a single governmental establishment, resting on a single tax base. For their money, it is about time that the people were provided with a cop on the beat in Washington—some anti-corruption machinery in the government that is free-wheeling, having no place in the driver's seat for the politicians who are being policed.

But where would we put this enforcement unit? Certainly not in the Congress or the courts, which are not in the enforcement business; not equipped to take on this responsibility; and not, in any event structured to speak with one authoritative voice because each judge, each Senator and each Congressman is—and ought to be—a sovereign individual. Nor is it advisable, as I see it, to vest the enforcement power in an independent board or commission—or in a special office such as that of the Comptroller General—because these are bureaucratic entities with no great visibility, no popular constituency and therefore lacking public confidence and support.

Obviously, then, this is an operation that should be established in the executive branch of government, and to do so would of course preserve and follow the lines of authority set forth in the Constitution. But now we come to the question: Where in the executive branch? The only appropriate agency, at first glance, appears to be the Justice Department. Here we have two choices. We could entrust the task to a separate government crimes division reporting directly to the Attorey General, or we could rely on an autonomous figure—a special Watergate-type prosecutor.

The first alternative has, for openers, the advantage of tampering the least with an existing system which periodically puts officials out of office—and sometimes in jail, to boot—without disrupting our form of government. Another advantage is that it keeps responsibility where it belongs, putting pressure on the Attorney General, and ultimately the President, to perform their Constitutional duties. The salutary effect of all this on Justice Department morale perhaps should not be underestimated. Yet the weakness of the status quo, beyond which this approach hardly takes us, is evident. To say it did not

spare us Watergate is to understate the case against it; neither has it spared us the lesser but recurring scandals that have plagued us throughout our history. In our political world it is a fact of life that the work of the Justice Department, from time to time, is subverted when someone under investigation is able to reach an influential official—perhaps, but not necessarily, the President himself. In any event this strategy does not help us out of the predicament we started with: How can the President really convince the people that self-monitoring will guarantee his own good behavior?

Or that of his appointees in the executive branch? Or of his friends in the courts or in the Congress—personages who can make or break a President's programs?

The second alternative of surrendering all responsibility to a special Watergate-type prosecutor seems to overcome these difficulties. After all, during Watergate it worked. What better justification do we need for keeping an independent prosecutor in the line-up? Would it not be ill-advised at this time, in view of the exceedingly skeptical mood of the electorate, to bench the prosecutor, and to try to justify this with a declaration that probity in officialdom is back to "normal"?

I submit, Mr. Chairman that we certainly ought to bench the special prosecutor, but that there are valid and more credible reasons for doing so. Among these reasons, three stand out.

First, instead of making it clear to the American people where the buck stops (President Truman took pride in advertising that it stopped on his desk), establishing an office of independent prosecutor would cause the buck to be passed back and forth—or to stop short of the White House. I doubt that we would want to allow our chief enforcement officer the political luxury, when it suits him, of ducking the responsibility we have vested in him. Confusion would arise as to who is really responsible—the see-no-evil, hear-no-evil President or the special prosecutor who, while appointed by the President, operates autonomously on a turf where the boundaries cannot be precisely defined.

Second, the prosecutor at times might have to pay too dearly for his putative independence if he pushes it too far. He could be denied the full cooperation of the expert, well-staffed enforcement agencies that form part of the President's administration. This foot-dragging by other officials would not always be provable by the prosecutor or even visible to him, let alone to the people. But he might suspect it, and then be tempted to make a quiet accommodation rather than bear the public sting of losing his case. As to any open clash with the President or chieftains in the Congress, the prosecutor would have to start with the handicap of having no popular constituency. The voters might not side with him because they do not really know him. They could be persuaded by the politicians to whom they entrusted their vote that he was acting in his own interest rather than in the public interest.

A determined prosecutor would then have to reach for his ultimate weapon—the threat to resign. But martyrdom might not become him or his cause as it did Archibald Cox. It was strictly the uncommon notoriety of Watergate that finally produced a victory for Cox. Yet, Mr. Chairman, we ought not be worrying just about the Watergates; our primary concern should be day-to-day honesty in government. Battles have to be fought regularly inside the bureaucracy, where entrenched officials have the advantage. In these ever-recurring, convoluted little wars the special prosecutor would constantly be forced to play David against the governmental Goliath. Such odds, Mr. Chairman, will ultimately wear a David down.

Third, we ought to be wary of any prosecutor so resourceful and strong that he overcomes such odds. His success would be no guarantee of his virtue. This official, to the extent that he is truly independent, would be operating outside the constraints that normally bind other appointees. Though no one had elected him, he could become a power in his own right. And a menacing one at that. If he is a zealot, he could discover trivial misbehavior and launch "crusades" that disrupt the legitimate business of government agencies. If he is a charlatan, he could embark on McCarthyite persecution of wholly dedicated public servants. If he is politically ambitious he could become a free-wheeling rival to the President in his own house. And if he is venal, he could use confidential information to blackmail public officials. We had no such problems with Cox or Leon Jaworski or Henry Ruth. But the point is that they themselves, not knowing who their successor might be, have warned us to be alert. These men, who ought to know, would feel more comfortable if a special prosecutor were weighted down with some of the same checks and balances that keep other officials in line. Yet to put a leash on an independent prosecutor would seem to destroy his raison d'etre.

So we come to an apparent dilemma, Mr. Chairman. If we agree that a new institutional arrangement is needed to restore and sustain public trust in our Federal officials; if we must reject all governmental entities except the executive branch as the locus for this powerful new instrumentality; if we contemplate putting it in the Justice Department but then conclude that simply fitting such a unit into the existing structure there would prove ineffectual; if we ponder the establishment there of a special and autonomous prosecuting office, only to hold back because doing so would blur lines of responsibility, or because this strategy would seem to promise more than it could deliver, or because we fear that we might create a Frankenstein monster—then what possibility remains?

In my opinion, Mr. Chairman, what remains is the best possible arrangement we could devise. It is innovative, but it requires no drastic overhaul of our government. It is in accord with the Constitution, and therefore it need not bring into play the slow, cumbersome process of amending it. It is likely to work, because it is based on the same premises about human nature and intragovernmental relationships that have accorded longevity to our Constitution.

My proposal, Mr. Chairman—and, with your leave, I will need a while longer to explain it—is to establish a federal board of ethics at the White House level, and to put the President in charge of the board as its chairman. He could of course function through a surrogate, but the latter would act in the name of the President. The interaction between the President and the board, and the separate and shared responsibilities of each of them, would be such as to afford us maximum assurance that they could accomplish their mission—without any abuses of power—while operating at the highest level of visibility. The voters, looking on, would be witness to the fact that they finally do have a couple of tough cops on the beat and, furthermore, that the two cops are watching each other.

Why should the President be in charge? Our first answer must be that, in any enforcement operation under our Constitution, he already is—and ought to be. Normally, this responsiblity is delegated to an agency such as the Justice Department, but we have already reviewed what is likely to come of this. The issue of governmental integrity is so important to the American people that it would please them, for a change, to have the responsibility for it elevated to the White House level. Morever, with the board exercising oversight with respect to the President's peers in the legislative and judicial branches, nothing less than a Presidential presence on it would seem to be appropriate.

Is there, after all, anyone else in our federal government big enough to take on this job? As Woodrow Wilson said of the Chief Executive: "His is the only national voice in affairs. . . . His position takes the imagination of the country. He is the representative of no constituency, but of the whole people. When he speaks in his true character, he speaks for no special interest."

Moreover, is there anyone else who is accountable to all the voters? Or anyone in government who is better known—or more closely watched? If the President were to be given this assignment by law, it would become politically impossible for him to make light of it. His performance in this one area could well become the measure of his Presidency.

It is through the mechanism of the board that the President could act on his own initiative; be prodded into acting; or restrained from acting, when his motivation might be self-aggrandizement. Watergate has alerted us to two perils stemming from a President's direct involvement in law enforcement. First, without really wanting to act, he might pretend to do so, by creating a distraction (the John Dean "investigation"). Second, he might use his powers to thwart justice by covering up for himself or others (John Mitchell, H. R. Haldeman, John Ehrlichman), or by misusing a governmental agency he controls (the CIA, the IRS). But under the proposal I present here, Mr. Chairman, the President would be a Siamese twin of a board whose members could tug him in the opposite direction. His being conjoined with the board means that the members would be looking over his shoulder, tending to inhibit any malfeasance by him. For comfort's sake, the President would quickly learn that, first, he must march, and second, that this would be painful unless he were in step with the board.

The board would be an independent body divorced from the rest of the executive bureaucracy. Its members—two Democrats and two Republicans—would be appointed by the President with the advice and consent of the Senate. As a guarantee of their independence, the board members would need lifetime appointments, in the manner of the federal judiciary. A member appointed to a fixed term could be confronted with the need to make a particularly sensitive decision on the brink of the expiration of his term; he might then vote—or be suspected of voting—in a way to best assure reappointment by the President. In exchange for indefinite terms that could be ended only by impeachment, the board members would be disqualified from ever holding another office should they step down. This would prevent the board from being used as a launching pad by members with political ambitions. And it would assure the public of the integrity of board decisions.

Since most board members would survive a President who appointed them and since, in any event, he could not oust them, we could be confident that the White House connection would not compromise their independence. With no stake in any program administered by the executive branch, and sharing none of the institutional or personal loyalties that develop in the bureaucratic principalities, the board members would have no reason to gloss over an incident merely to protect an official, his agency or its mission. Having no concern, either, about who is elected or re-elected to the Congress, the board need not feel inhibited about taking on a member of the House or Senate. And having no role in the selection of judges, the

board would have no reason to indulge those who betrayed that office.

We could take steps to preclude either the President, acting alone, or his two party members, acting with him, from manipulating the board for partisan ends. First, we could require that at least four members constitute a quorum. Second, we could stipulate that the President could vote only to join in a unanimous decision of the board or to break a tie. Should it ever become necessary for him to cast a tie-breaking vote, maximum public attention would be focsued on him and he would have to answer convincingly for his action. But it is evident that in most cases he would wield little control because he would not be participating in board actions as a voting member. Yet the board would have the clout that comes from functioning in his name, and the President would be under an obligation, too, to exercise leadership.

A McCarthyite board need not be feared. Extremist action could not be mounted by one aberrant member; he would need the concurrence of his colleagues. Besides, we could expect the President to exercise a restraining influence, if it came to that. Also, the courts would be watching from a distance and Congress could disestablish any such board, writing it off as an unsuccessful experiment in ethical enforcement.

To needle the President, as required, the board would have the power of subpoena and authority to conduct public hearings. But we ought not to overlook the fact that a well-motivated President might actually welcome the help of the board. An observer of presidents has noted that bureaucrats chronically fail to report anything to their superiors that might reflect badly on their agencies or the programs they administer. He concluded: "A President doesn't get much straight talk from his subordinates."

However, the board—by maintaining its distance from all three branches—would be strategically situated to receive information on a confidential basis. Civil servants would not have to worry that their tip about an agency would reach the boss himself; they could feel confident that their information would be investigated, rather than brushed aside. In fact, there could develop a symbiotic relationship between the President and the board. The board would need the President to enforce its decisions; the President would need the board to feed him information. The board would have the advantage of being on the White House stage, while the President could retreat behind the board when his friends or allies are under assault.

No such board could operate without a large staff—its own built-in bureaucracy. But because I believe that the people need another agency like they need more corruption, I propose that in establishing the board we disestablish the Federal Elections Commission, which even today is not known to the average American, and where the leadership lacks a popular following. The board would necessarily operate anyway on the Commission's turf. In addition, we could reduce the size of some other governmental entities—such as the Civil Service Commission—to the extent that we cause them to cede to the board some of their authority. As the central clearinghouse for ethical concerns in the government, the board could work with Congress in helping to anticipate and solve problems. For instance, it could recommend a single standard as to what constitutes a conflict of interest, applicable to all three branches. I submit, Mr. Chairman, that the taxpayers would not begrudge payment for this type of service.

Thank you Mr. Chairman, I would be happy to answer any questions you might have—orally now, or later in writing. It has been a pleasure to appear before this distinguished panel.

BERNARD G. SEGAL AWARDED AMERICAN BAR ASSOCIATION'S ABA MEDAL

HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. DODD. Mr. Speaker, I was recently pleased to learn that a lifelong family friend, Philadelphia attorney Bernard G. Segal, has been awarded the American Bar Association's ABA Medal. Mr. Segal was presented the American Bar Association's highest award on August 11, 1976, during the association's annual convention in Atlanta.

I congratulate Mr. Segal on receipt of the ABA award, and would like to insert in the RECORD the following article from the Legal Intelligence regarding Mr. Segal's distinguished record of public and professional service:

BERNARD G. SEGAL VOTED AMERICAN BAR ASSOCIATION MEDAL

Philadelphia attorney Bernard G. Segal has been selected unanimously by the American Bar Association's Board of Governors to receive the ABA Medal, highest award given by the 208,000-member organization.

ABA President Lawrence E. Walsh will present the medal to Segal on August 11th in Atlanta during the association's annual meeting.

The medal is awarded for "innovative contribution to American jurisprudence, that is, the search of the American people for true and universal justice."

In making the announcement, Walsh said that Segal is known not only nationally, but also internationally, as a "champion of human rights."

Last October, Segal was given the World Peace Through Law Center's World Lawyer Award for "inspiring the legal profession . . . to assume a leadership role in the critical process of curing the afflictions of our time."

Segal has a distinguished record of public and professional service. He was president of the ABA in 1969–70 and has served in the association's policy-making House of Delegates, and as chairman of several special and standing committees.

Segal was appointed by Presidents John F. Kennedy and Lyndon B. Johnson as co-chairman of the Lawyers' Committee for Civil Rights Under Law.

Other government posts in which he has served have been as chairman of a congressional Commission on Judicial and Congressional Salaries by appointment of President Eisenhower; a charter member of the Standing Committee on Rules of Practice and Procedure Judicial Conference of the United States, by appointment of Chief Justice Earl Warren; and a member of the United States Attorney General's National Commmittee to Study the Antitrust Laws.

Segal also served on the Executive Committee, United States Attorney General's National Conference on Court Congestion and Delay in Litigation; National Citizens' Committee for Community Relations; Advisory Committee to the United States Mission at United Nations; Department of State Advisory Panel on International Law; and chairman, Executive Committee of the National Advisory Committee on National Legal Services Program of Office of Economic Opportunity.

He is a director, member of the Executive Committee, and life member of the American Bar Foundation, first vice president of the American Law Institute, former president of the American College of Trial Lawyers, former chairman of the board, American Judicature Society, and a Fellow of the Institute of Judicial Administration.

Segal received B.A. and LL.D. degrees from the University of Pennsylvania, of which he is a Life Trustee and a member of the Executive Board. He has received honorary degrees from several universities including his alma mater. He was admitted to the Pennsylvania Bar in 1932.

Segal was the youngest Deputy Attorney General in the history of Pennsylvania from 1932–35 and was Chancellor of the Philadelphia Bar Association in 1952 and 1953. Segal has also been a member of the Federal Judicial Center Committee on the Workload of the United States Supreme Court, by appointment of Chief Justice Warren E. Burger; the Administrative Conference of the United States, and the United States Commission on Executive, Legislative and Judicial Salaries, of the Ninety-third Congress. Last week he was appointed a member of the commission in the current Congress.

Earlier this year, he was elected by the World Association of Lawyers as president for the Americas.

LIBERAL CENTRAL PLANNING: HERE WE GO AGAIN

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. ASHBROOK. Mr. Speaker, the U.S. Departments of Commerce and Labor have recently released their figures for the second quarter of 1976. The figures show some interesting changes. First, economic improvement has somewhat slowed over the last quarter. At the same time the rate of inflation has increased.

While the inflation rate is not at the same levels of a few years ago, any increases in the rate must be viewed with concern. A constantly increasing cost of living hurts the homemaker, the worker, the retired person, the businessman. What is not needed is a rebirth of the old liberal notion that a little bit of inflation is all right and even good for the country. As has been seen in this country and in many others, what some consider a little inflation can quickly turn into a double digit increase. The cost of living skyrockets.

Although the liberal economic theory of spending more and more has come up against hard reality, there are still too many in Washington, D.C., who refuse to recognize the fact. Some liberals are willing to castigate big government and in speeches they may oppose continuing increases in Federal spending but their proposals and votes usually tell a different story. They propose and vote for big spending programs.

One of these proposals is the Humphrey-Hawkins bill. Its proper title is the Full Employment and Balanced Growth Act. Its title is impressive; its contents are less impressive.

The basic thrust of the bill is to get the Federal Government further involved in the economic life of this country. The

Federal Government would become involved in comprehensive economic planning. It would place responsibility for the economic life of our Nation in the hands of central planners in Washington, D.C. For example each year the President would be required to prepare and submit to Congress a national economic plan.

In my opinion the bill seems to be modelled on the failures of the socialism in Great Britain. The American free enterprise system would not be improved but exchanged for a centrally directed economic system that has had a consistent record of failure and weakness. This country does not need more bureaucracy and red tape. But that is where the Humphrey-Hawkins would lead. It is past time to bring the Federal Government under control. It is not the time to greatly expand its costs and involvement in American life as this bill would do.

BICENTENNIAL FLAGS WAVE OVER CLAYTON

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. FINDLEY. Mr. Speaker, the flags are flying in Clayton, Ill.—Bicentennial flags that is. I have the honor to represent this small midwestern community as a part of the 20th District and I am very proud to report to this House about Clayton's outstanding Bicentennial project.

Not content with any of the usual Flag Day proceedings this past June, the community of Clayton decided to decorate their Main Street with 25 hand-sewn flags, each representing a different segment of American history. The flags were designed to display such themes as the Viking, New England, the Union, Bunker Hill, and also included replicas of the continental and colonial flags.

Over 100 local citizens were involved in the project. Church organizations worked to create the flags and the local Boy Scout troop painted the fire hydrants and planted flowers in the park in honor of the Bicentennial flag ceremony. At the celebration to unveil the flags there was a program of music and speakers along with the firing of a cannon by the Muzzleloaders of the 37th Regiment of Quincy. All enjoyed the calliope music that ended the day.

The flags will continue to grace Maine Street through the summer. I am inspired by this endeavor as I know the residents of that outstanding community are when they walk down that beautiful street. In this Bicentennial Year, their actions symbolize more than ever the individual freedom and commitment which serve as the cornerstone of our great Nation. The flags remind each of us of the sacrifices which have been required to both achieve and sustain our Nation's precious heritage. Long may they wave.

TROTSKYISM AND TERRORISM: PART VI—TERRORISTS ACTIVITIES IN EUROPE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. McDONALD. Mr. Speaker—

GREAT BRITAIN AND IRELAND

The British section of the Fourth International has always been under the domination of the International movement. In 1963, the British section was reorganized by the Fourth International and cadres were sent from Canada to supervise the operations. Alan Harris was one of these and had his salary paid by the Fourth International.[1]

The British section now called the International Marxist Group later complained that Harris was being subsidized by the Socialist Workers Party to carry out factional activities against the IMG leadership.[2] The leadership of the IMG support the pro-terrorist International Majority Tendency of the Fourth International. Harris works with the SWP in the Leninist-Trotskyist faction.

Ernest Mandel is now in complete control of the IMG. He even wrote the political resolution for the 1976 IMG convention. That resolution was adopted at the December 22–23, 1975 meeting of the United Secretariat of the Fourth International and then presented to the English section.[3]

The IMG supports the terrorist activities of a small grouplet in Ireland. This organization called Saor Eire considers itself part of the IRA, but has engaged in assassinations of other IRA members. A history of the relationship between the IMG and Irish terrorists was given by SWP member, Gerry Foley, in a lengthy discussion article entitled "The Test of Ireland." Foley wrote:

The first sign of the IMG's interest in the Official republican movement came when the May 1970 issue of the *Red Mole* reprinted an interview with the Official leader Malachy McGurran from *Intercontinental Press*. Contacts seem to have developed subsequent to that, leading to Comrade Purdie's visit to Belfast in July 1970 and to the Official Ard Fheis in December 1970. But at the same time, the IMG came in contact with, or began to take more seriously, a group of adventurers expelled from the republican movement in the 1960s. These adventurers were associated with Gery Lawless, an "independent" Trotskyist who had broken with the republican movement in 1955, accusing it of reluctance to begin the guerrilla campaign for which it began preparing with the arms raids in the early 1950s. Many of them were ex-members of the Irish Workers Group, a heterogeneous grouping led by Comrade Lawless which disintegrated in early 1968. The IMG's interest in this group seemed to increase at the end of 1970 when Comrade Lawless joined the IMG and became the co-leader of its Irish work.

AN IRISH ERP

In its January 1–15, 1971, issue, the *Red Mole* published an interview with a representative of this grouping, Saor Eire, which offered a different version of the movement toward politics in the Official IRA. This interview was announced on a cover with a picture of a guerrilla pointing a gun at the reader. In answer to a question about the split in the republican movement, this anonymous spokesman said:

"Well, we have seen the inevitability of such a split occurring for the last eight years. We did not particularly favour it since, unfortunately, it happened over wrong issues. In the official section, we have an amalgam of peaceful roadmen, reformers, and left-wingers; and within the Provisionals, we have more militant elements, but right-wing politics. In practice, we have found ourselves more closely aligned to the Provisionals, it is among those elements that we draw a lot of our support.

"Of course, it is important to draw a distinction between the leadership and the rank-and-file in both these organisations. Both leaderships seem equally opposed to us and equally capable of spreading slanders about us, whereas with both rank-and-files we have very much in common. We are grateful for the help that Cathal Goulding, the chief of staff of the official IRA, sent in relation to Frank Keane's case. But we condemn unequivocally their actions in issuing disclaimers and thereby helping police to finger our organization in the Arran Quay robbery."

The representative described the origins of his organization in this way:

"I'll have to go back to the '60s and trace the development of the Republican movement. After the failure of the mid-'50s military campaign in the Six Counties, a certain amount of disillusionment set in within the IRA and Sinn Fein. People saw the futility of a purely military campaign not backed up by some form of political action. In the early '60s some people connected with the London-based 'Irish Democrat' joined the movement. Their Stalinist politics were not accepted overnight, but on account of the lack of clear-cut politics within the Republican movement, the position was that any brand of politics was accepted. With the influx of these people, political classes were started, which were good in themselves, as they gave many members of the Republican movement their first knowledge of left-wing politics; but hand in hand with the growing political awareness, there began a running-down of the armed section, the IRA. This unfortunately led to a lot of people equating left-wing politics with reformism. Many of our members at this stage started to voice their objections to this running down of the IRA. These people were either dismissed on trumped-up charges or left of their own accord. Other members saw through the politics of Stalinism and left on a political basis.

"At this time too, many English-based revolutionary groups started to spring up. People saw in these groups alternatives to the Irish Communist Party and to the current Stalinist orientation of the Republican movement, and thought that maybe, through such organisations, a new fusion could be made between left-wing politics and the traditional military of Republicanism. Some people who had been involved in the Trotskyist English-based Irish Workers' Group formed an important section of Saor Eire and began to form links with these dissident elements of the Republican movement. This resulted in a loose organisation being formed in Dublin about three to four years ago, which carried out some arms raids and some bank raids in an attempt to try to get a militant politically conscious, armed group off the ground.

"After these initial actions there was not such a mass movement toward this grouping as was expected, since its actions were seen as more in the tradition of the international revolutionary movement, as opposed to the Irish movement. The next period was spent in discussion with various political groupings, and with various mem-

Footnotes at end of article.

bers of the Republican movement, in an attempt to win them over to this new concept of political action."

The method by which this tiny adventurist group hoped to stimulate a "mass movement" toward itself was explained as follows:

"Saor Eire is a left-wing armed group which is attempting to act as a fuse or detonator to the Irish revolutionary struggle. It is attempting to step up the tempo of development of political life. It is part of the Republican tradition but also draws from the international revolutionary movement, both politically and in a military sense. As opposed to past forms the Republican struggle took, Saor Eire is centered around the cities and could be called an urban guerrilla group, inasmuch as it sees the main struggle taking place in the cities, and within the working class directly."

As for Saor Eire's activities, although they did not exactly depend on mass support, they were designed to win mass sympathy:

"Unfortunately due to publicity given to us by the bourgeois press, people seem to think that we are only involved in robbing banks and living high lives, etc. etc. This could not be further from the truth. We *have* robbed many banks and taken responsibility for them. But we have also been involved in armed raids, in industrial disputes, in direct confrontations with the state and its agents, also in local disputes and tenants' disputes. The money expropriated from the banks is used to purchase arms and equipment for the forthcoming struggle in Ireland. A lot of our finances have gone to aid the Catholic population of the North who have been under attack from British imperialism. This took the form of money, ammunition, and equipment. The money is also used for the maintenance of our revolutionaries in the field, who, at the moment, number quite a few. It is also used for political education, the arrangement of classes, camps, and all of the other running expenses that any armed group is liable to. We're also involved in military training of members of other left-wing groups in Ireland, people from the North, and the broad Republican movement, who have not been able to get this training within their own organisations." (Emphasis in original.)

Despite a certain autonomy from the masses, Saor Eire was not, it was explained, a foquista group: "We don't believe that the foco itself can become the party or has any monopoly on the revolution. But small guerrilla groupings, to a certain extent independent of the working class, *can* help to raise the level of the working class and so help to create the party." (Emphasis in original.)

In fact, Saor Eire was a very special kind of guerrilla group, one sympathetic to the Fourth International and especially to the International's support for "armed struggle," an Irish facsimile of the Argentine Ejército Revolucionario del Pueblo! An exemplification of the correctness of the line of the Ninth World Congress. . . .

"As regards the Fourth International: we recognise the revolutionary role it has played since its inception; how it came to the aid of the Algerian revolution with arms and weapons while other so-called revolutionary organisations failed to fulfill their duty. We also admire how they came to the aid of the Cuban and Vietnamese revolutions and defended them against imperialism, in America and throughout the world. We are particularly sympathetic to the political assistance it is giving the Irish struggle at the moment. While the Stalinists have consistently dilly-dallied and vacillated on the question of Ireland and on the role of armed struggle in Ireland, the Fourth International is probably the only organization which has consistently given it support. A lot of our members have been, at some time or other, members of Trotskyist groupings." [4]

When Peter Graham, an active member of IMG and Saor Eire, was murdered by a rival IRA group strong statements advocating violence were made by IMG activists. Concerning this Foley wrote:

THE TROTSKYIST MARTYRS; OR THE INTERNATIONAL "SECRET ARMY"

But it is not necessary to wait for the truth about Comrade Graham's death to draw some conclusions about the way the IMG and its European cothinkers responded to this tragic incident.

"After recalling Peter Graham's life as a revolutionist, Comrade Tariq Ali issued a warning: 'At present we do not know what criminal brute shot Peter Graham to death; but we will find out; and when we do we have ways of dealing with this type of individual.'

"An investigation is now in progress, but as Saor Eire declared (cf. *Rouge,* no 126), any investigation must be directed at the offices of the Special Branch (political police) in Dublin." (*Rouge,* November 6, 1971.)

Comrade Ali's solemn warning could not fail to make the headlines. This was particularly true since the Dublin papers were giving sensational coverage to the Graham killing, treating it as a mysterious gang war among the republican and far-left fringe.

Comrade Ali's threats were made even more newsworthy by an article in the independent left-liberal news weekly *This Week* by Sean Boyne.

"The Dublin Trotskyist leader Peter Graham (26) may have been murdered in the middle of a gun-running operation. Informed sources in both Dublin and London link him with a plan to smuggle guns through the 26 Counties for the IRA war against British troops in the North.

"Graham would have been in a key position for any such operation. He was the Irish representative of the Fourth International, an influential, pro-IRA Trotskyist organisation with a world-wide network of branches and previous gun-running experience. He had very close contacts with Saor Eire almost since its inception. He was reported to have had access to large sums of money and he was held in very high esteem by important members of the Provisional IRA.

"There is no evidence that the Fourth International has been involved in gun-running to Ireland. But through the organisation he would have been able to make valuable contacts abroad. The Fourth International in recent years has supplied arms for the rebellions in Cuba, Algeria and Hungary, and it has now decided on a policy of 'maximum support' for the IRA.

"But even if Graham had been running arms, and there is no conclusive proof for this, who should want to kill him? His close associates in Dublin have ruled out the possibility that he was sentenced to death as an informer by Saor Eire or any Republican organisation.

" 'Peter Graham was no informer and he was most security conscious,' said Tariq Ali, sentiments which were echoed by all who knew the dead man. The Young Socialists have however recalled some allegations made some weeks ago by Saor Eire that "murder squads" had been formed among right-wing gardai [police] and Special Branch men. And a London-based friend of Graham's has mentioned the possibility of a move by British Intelligence to thwart a Trotskyist intervention in the Northern Ireland situation.

"But there is also a theory that the shooting may have been ordered by some rival bank-robbing group to Saor Eire which for some reason wanted to teach the 'Trots' a lesson. It may be significant that Saor Eire men have stated in recent weeks that they were not responsible for every bank raid carried out in the 26 Counties.

"One thing is certain. Whoever was responsible for the murder is in a rather delicate position. As one London Trotskyist said ominously: 'There is an awful lot of anger about the shooting of Peter Graham.' "

Boyne's version of Comrade Ali's remark was: "We have our own ways of dealing with such people."

There is unfortunately no doubt that the IMG appreciated this kind of publicity, with all its exciting suggestions that the Fourth International was engaged in international gun-running and had its "own ways of dealing" with assassins. Comrade Ali in fact protested because *Intercontinental Press* did not reprint this flattering article in full.

In fact, one organ of a section supporting the IEC Majority Tendency seemed really to strain itself to present the situation of the Irish Trotskyists in the most heroic light.

"In difficult conditions after the cowardly assassination of Peter Graham and the mysterious death in January 1972 of Mairin Keegan, another leader of the RMG, our comrades of the Irish section are assuming an enormous task. They have to offer real support to the two branches of the republican movement (the Official and Provisional IRA), to develop Marxist analyses of the Irish question, and above all to coordinate the struggles in the North as well as the South because they alone of all the revolutionary organizations have a base both in Ulster and the Republic." (*Rouge,* June 3, 1972.)

Tragic as Comrade Keegan's death was, it was not unexplainable. She died of a long illness. She was, however, a member of Saor Eire, as a member of the RMG pointed out at a memorial meeting held for her in London.

"She was not simply an armchair Marxist, she allied theory to action. In May 1968 in Paris she took part in the struggle of the workers and students which has opened the new era of working class revolution. And in 1969, back in Ireland, as a member of the Dublin Citizens Committee and more importantly Saor Eire, she gave aid to the national revolution that has been developing in Northern Ireland. . . .

"I might conclude by wishing a long life to the FI (Fourth International) but this would be contrary to that body's aims. It wants world revolution and the world includes Ireland as soon as possible. So I prophesy a short and successful life to the FI and to Saor Eire. Let our enemies which are those of the working class beware. We are only beginning." (*The Red Mole,* January 24, 1972.)

The dangers that this kind of romantic rodomontade by the supporters of the IEC Majority Tendency represent for the entire International are only too obvious. From the standpoint of revolutionary morality, moreover, it was extremely dubious. It did not honor Graham's sacrifice but exploited it, threatening to build a farcical tissue of romantic pretensions around this death that could only discredit the Irish Trotskyists.

At the same time, this type of boastfulness and lurid imagining had a powerful momentum. For many months after the death of Comrade Graham, adventurist fantasies tended to dominate the discussions in the RMG. This was particularly noticeable in the conference of February 1972. The representative of the IMG, Comrade Lawless, to his credit, stopped this trend at one point in the discussion as it reached a dangerous point. (As for the representative of the International leadership, he was apparently not disturbed by it and in fact was anxious to reassure me when I showed signs, no doubt, of getting rather agitated.) However, it is clear from the line of *The Red Mole* and the IMG speaker at Comrade Graham's funeral

Foctnotes at end of article.

that the British organization and the International leadership encouraged precisely this sort of thing. It is fortunate that Comrade Lawless decided to retreat from the logic of their adventurist line. One wonders what the IMG would have done if this kind of talk had resulted in an actual adventure and victimizations. Would they have sent a commando team to "avenge" the Irish comrades? It is much more likely that a few more martyrs would have been exploited to add to the luster of the "revolutionary pole of attraction."[5]

Alan Harris also complained that the IMG was, "giving full support to a small group that was expelled from the Republican movement, Saor Eire, an anti-Leninist terrorist grouping based in the Irish Republic."[6]

The British press, however, has accused Saor Eire of doing some of the bombings in London and other English cities.

The SWP has given considerable publicity to a group in Ireland called the Irish Republican Socialist Party. There is reason to believe that this group is closely linked to Saor Eire. In an interview with an IRSP leader, Seamas Costello, the SWP's Gerry Foley asked about the warfare between his group and the official IRA.

Q. The "Officials" say that a shadowy military organization linked to the IRSP has carried out attacks on their members. They draw two different conclusions from this. Some say that you don't control it. Others say that you are trying to use it as your assassination squad without taking responsibility for what it does. What is the relationship between the IRSP and the military groupings that have expressed support for it in the conflict with the "Officials"?

A. Well, the relationship with the PLA [People's Liberation Army] and the other armed groups that have acted in this way is as follows: The PLA and other groups that haven't chosen to say publicly what their names are offered to assist us in defending our members against the "Officials." This followed the death of one of our members in Belfast. The Belfast Regional Executive accepted that offer. The basis of this acceptance was that as long as the "Officials" attacked IRSP members, these groups would defend IRSP members against such actions and retaliate for such actions.

It's true to say that we don't control the individual actions carried out in pursuit of this policy, any more than the Army Council of the "Official" IRA controls the individual actions of members of its organization. But we are quite satisfied that as soon as agreement is reached between the IRSP and the "Official" IRA and as soon as we have some concrete indication that the "Officials" are going to call off its campaign, there will be no difficulty whatsoever about ensuring that there are no attacks on members or supporters of the "Official" IRA.[7]

IMG leader, Tariq Ali, has publicly supported terrorism and boasted that if Governor Wallace had visited his university he would have killed him.[8]

FOOTNOTES

[1] Report of the Fact-Finding Commission of the United Secretariat on the internal situation within the International Marxist Group, British section of the Fourth International, March 12, 1972, p. 18 and 22.

[2] Ibid., p. 11 and 13.

[3] Mary-Alice Waters Memo, January 15, 1976, Report by Stateman and minutes of United Secretariat.

[4] International Internal Discussion Bulletin, Volume X, No. 17, October, 1973, p. 15–17.

[5] Ibid, p. 37–38.

[6] International Internal Discussion Bulletin, Volume X, No. 23, November, 1973, p. 10.

[7] Intercontinental Press, July 21, 1975.

[8] Internal Information Bulletin, No. 3, April, 1971, p. 28.

DR. RON PAUL: FEDERAL FINANCING OF ABORTIONS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. HYDE. Mr. Speaker, the following is a speech delivered before this body by my colleague, Dr. RON PAUL, during the debate over Federal financing of abortions. When Congressman PAUL's remarks originally appeared in the RECORD, there was an error in printing which caused a portion of his statement to be left out. Dr. PAUL has been a physician for 15 years and was in the practice of obstetrics and gynecology prior to coming to Congress.

I now commend Dr. PAUL's corrected statement to the attention of my colleagues, many of whom may not have been present on the floor to have the benefit of his views on the day they were expressed. Since this matter is still under debate in a House/Senate conference, we likely will be voting on it once again before Government funding of abortions is resolved once and for all. His well-reasoned arguments merit the thoughtful consideration of my colleagues:

STATEMENT BY DR. RON PAUL

Mr. Speaker, abortion and its ramifications is probably the most complex, controversial, social, legal, religious, medical issue of all times. There is no simple answer to satisfy all persons involved. Those who believe there is an easy solution are kidding themselves. Sincere deliberation with the hope and intention of reducing the subjective emotional response to objective reasoning is of the utmost importance if the social antagonism that has arisen over this issue is to be alleviated. Those who would belittle its importance fail to see the significance of the impact that Presidential aspirant Ellen McCormick has made this past 6 months. What other single social issue since slavery has prompted such political activism.

Today we must decide whether or not to continue to support Mr. HYDE's proposal to prohibit Federal tax dollars from being used to promote or perform abortion. I am in agreement with Congressman HYDE and oppose the use of tax dollars to perform abortions.

Up until April of 1976 I had been practicing obstetrics and gynecology. I have been involved in medicine for 19 years. After medical school the specialty training that I received took 5 years. In other words, I have treated thousands of obstetrical cases and delivered an estimated 4,000 babies. During this period of time I never saw one case which required therapeutic abortion in order to preserve the life of the mother. The issue of "the 'threat' to the mother" is not realistic since it is so rare. This is emotionally concocted and does not do justice to those who use this as the reason for legislation.

When it does exist the Hyde amendment would not prevent treatment to the mother. Today we do not need to abort women for heart disease and diabetes; that is for the medical illnesses. The conditions that require treatment for the mother in order to save her life are today limited to cancer. This amendment would not prevent this treatment and the loss of fetal life would be incidental to the radiation treatment or the hysterectomy, if required. One other item—there are many examples of some chronic illnesses improving with pregnancy when at one time the medical community believed pregnancy increased the severity of the disease.

Many use as the justification to abort, the potential birth of a malformed child. This to me is the worst reason conceivable. This literally justifies the elimination of newborn defective life and those who are apparently useless. Most would classify this as murder and even many of the pro-abortionists would agree. However, there are many who reason that the decisionmaking should extend up to 1 year of life. The question you must be forced to ask then is, What about defective and useless ideas that disrupt society. History shows that others have justified this also and destroyed life for causes such as religious and political beliefs.

I did not always draw rather stringent lines on abortion until I was forced as a young physician to face up to the problem. I was called to assist one day as many young residents are in an operation performed by a staff member. It turned out to be a hysterotomy, a type of caesarian section with the removal of a 2-pound infant that cried and breathed. The infant was put in the trash and left to die. At that time it was even in defiance of all current laws. We as physicians can now save many infants that are born weighing 2 pounds. The Supreme Court now permits abortion up to 6 months of gestation and later under special circumstances. Frequently this will involve infants weighing as much as 3 pounds. Following this experience I reconsidered my position of "necessary abortion" and came up with an entirely different perspective. One physician who ran an abortion clinic for years and supervised thousands of abortions has recently joined me in reassessing his position and now opposes abortion due to the callousness with which it is administered. Young people came to my office asking for an abortion as if it were requesting an aspirin for a headache. This lack of concern for human life is an ominous sign of a decaying culture. We as a Congress must not contribute to this decay.

Civil libertarians must oppose tax dollars for abortion if they choose to be consistent. The use of tax dollars for abortion flaunts the first amendment protection of religious liberty. The advice I give to the pro-abortionists is "Do not use the dollar of citizens with devout religious beliefs against abortion to carry out this procedure." This is like waving a red flag in front of a bull and providing an incentive for the antiabortionist to organize and rally with great strength. Just remember how the antiwar groups rallied and changed a bad situation in the 1960's when kids were forced to serve and die and taxpayers forced to pay for an undeclared illegal war pursued by an ill-advised administration.

The 14th amendment protects depriving any person of life. Government exists to protect life, not to destroy it. Those of you who still believe that life is not involved need to visit more operating rooms and possibly you would be converted like I was.

Legally there is good historic precedent to establish the rights of the unborn and to recognize their legal existence. Right of inheritance is recognized for the conceived but unborn infants when the death of the father occurs prior to the birth. The right of suit by the unborn is recognized in accidents that kill or injure an unborn. The right of suit by

the unborn is recognized in injury that harm the unborn in such cases as drug injury. The injured unborn can sue MD's after birth for malpractice if we as physicians injure the infant with bad medical judgment. From day one in medical school we are taught two lives are involved and the responsibility is ominous, in that we need to give deep concern for the new life to be and protect it in the best way possible so that it can enter its new environment free of injury since its more vulnerable predelivered state is so precarious and needs specific help, assistance, protection, and consideration.

The sickest argument for abortion is that the poor black population needs to be reduced. Keep them off the welfare rolls some conservatives argue. Even liberals have argued with me that since I oppose the welfare state this would fit into my desire. I am for reducing the welfare state but certainly not this way. The welfare state will be reduced when the welfare ethic of materialistic redistribution by force is challenged and changed.

Frequently abortion is performed at the desire of an aggressive social worker who fears food may become scarce and for various other personal prejudices. Teenage abortion now is done with specific exclusion of parental consent, if the Government so chooses; another attack on religious convictions regarding the sanctity of the family. Opposite to this is the abortion for the mother of the pregnant girl "to save face." In the private practice I had, this was the strongest motivating factor for abortion. The pregnant girl usually had a great psychological need and desire to be pregnant and deliver a baby. A symbol to her of something that represented love and affection. Abortion carelessly given, financed by the Government, hardly will settle this deep psychological problem.

My entire political philosophy is built on the firm conviction of the absolute right to one's life and property but precludes all violent activity. Some challenge my position on abortion as saying that I violate the mother's right to her life by preventing abortion. Since the key lies in whether or not one or two lives exist my decision is based on my medical knowledge that life does exist prior to birth and after conception. If the mother can reject that same life in her body because it just happens to be there she could reject that same life in her house. Besides a strong argument exists that the mother's rights are violated by a newborn, screaming hungry, naked infant much more so than by the inconvenience of an innocent silent warm contented unborn. The newborn demands a much greater amount of care, concern, time, and effort, and therefore is a so-called violation of the mother's rights and yet we recognize caring for a child as a responsibility both legal and moral once birth occurs.

A SPECIAL THANKS TO FATHER BEDE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. OTTINGER. Mr. Speaker, the community of Mount Vernon, N.Y., recently honored a most extraordinary person, Father Bede Ferrara. I would like to join in their admiration of this man, and thank Father Bede for the time and energy he spent to improve the life of his parish and his community.

He is an extraordinary man, not content to restrict his activities to the important work of religious guidance to his parishioners, but an active force for good in the entire community. His dramatic organization of a "God Squad" to combat vice and delinquency in Mount Vernon, his involvement in virtually every worthy community activity, be it help to the poor, housing, recreation, youth programs, has been a force for good in Mount Vernon that will be sorely missed.

We all wish him well in Boston, and shall always remember the special care he gave to his friends and neighbors in Westchester County.

In paying tribute to Father Bede, the Chamber of Commerce of Mount Vernon presented him with a well-deserved citation which I would ilke to share with you today:

MESSAGE AND PRESENTATION TO REV. FATHER BEDE FERRARA, OFM, PASTOR OF OUR LADY OF MOUNT CARMEL CHURCH

(Made by Salvatore Quaranta, Executive Vice President of the Mount Vernon Chamber of Commerce)

I am pleased to have this opportunity to express best wishes and appreciation to Father Bede.

During the past several years, I have had the opportunity of becoming involved in community programs in association with Father Bede.

In addition to his chosen avocation in serving God, he devoted endless hours to serving the total community. His interests have extended to the concern for the religious, social health and recreational needs of our community.

In the two areas close to my field of work, namely the Chamber of Commerce and the United Way, Father Bede has been of immeasurable help and for this I am most grateful.

And to this most concerned gentlemen, I have the priviledge of presenting to him a Citation which reads as follows:

"Citation for Community Service Awarded to Rev. Father Bede Ferrara, OFM, Pastor of Our Lady of Mount Carmel Church in Recognition of Outstanding Achievement in Serving the Human Needs of Our Community"

In closing, I extend most sincere best wishes to Father Bede and thank him for he has helped to make the Community of Mount Vernon, New York, a better place in which to live, worship, work and do business.

Good Bye my friend, may you be blessed by everlasting good health so that you may enjoy serving the needs of all the people in your new assignment in the Boston area.

TURKEY, DRUGS, AND THE UNITED STATES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. RANGEL. Mr. Speaker, the recent creation of the Select Committee on Narcotics Abuse and Control is representative, I feel, of a long overdue recognition by the Members of this House, of the seriousness of the narcotics problem in this Nation. Its existence will provide the Congress with an arm with which it can oversee the entire world drug scene and thereby, hopefully, significantly reduce illegal narcotics trafficking into the United States.

The geographical areas of greatest concern to narcotics control officials have traditionally been Mexico, Southeast Asia, and the Middle East. In particular, Turkey was, for many years, the primary provider of opium to the dealers who eventually brought heroin to the streets of our cities and towns.

In 1971, the Turkish Government ordered a cessation of poppy growing which resulted in a significant reduction in the heroin entering this country. Subsequently, an executive agreement was signed by the leaders of the two nations aimed at solidifying the opium ban. Then, abruptly last year, in apparent contravention of this agreement, the Turkish Government ended the ban on opium growing, thereby opening up once again the threat of a vast potential supply of this dangerous plant.

Fortunately, despite resumption of opium growing, the predicted increased flow of illicit narcotics from Turkey has not materialized. In this respect, Turkish officials clearly deserve praise. They have regulated the actions of the opium farmers in accordance with guidelines established by their Government in consultation with the United Nations Division of Narcotic Drugs and the International Narcotic Control Board, and, most importantly, their oversight in conjunction with the implementation of a new harvesting process, has apparently resulted in a massive reduction in the quantity of Turkish poppy origin heroin reaching the United States.

I should make it clear that despite the impressive statistics concerning the diversionary efforts by the Turkish Government, I remain deeply disturbed by the resumed growing of opium. Although I certainly recognize both Turkey's right to make decisions which are in her own national interest, and the fact that the executive agreement was signed by leaders who are no longer in power, I feel strongly that the agreement should have remained in force or at the very least been renegotiated. I now only fervently hope that the strong enforcement actions by the Turkish Government will continue to yield satisfactory results.

I am pleased to insert the following excerpts from comments made by United Nations officials who toured Turkey in July of this year. This release from the Turkish Embassy is important both because of its verification of the results which had been claimed previously and for the spirit of cooperation between Turkey and the United Nations of which it is a symbol.

The quotations follow:

U.N. OFFICIALS PRAISE TURKISH CONTROLS OF OPIUM POPPY CULTIVATION

Prof. Paul Reuter of France, President of the International Narcotics Control Board:

"We believe that Turkey has set an unprecedented example in this field. She has fully implemented her decisions and also the proposals made to her for a solution to this issue (the illegal use of the Turkish opium poppy crop).

"The success registered in the purchase of all unlanced poppy capsules by the Government not only has shown the effectiveness of this method, but also proved that the Turkish nation is a 'developed country' in

this field, for this method is not expected to succeed so well in every country. In this respect, Turkey has a special position among other countries."

Ambassador Jacobus Gilbertus Debeus of Holland, Executive Director of the U.N. Fund for Drug Abuse Control:

"Last year a certain percentage of the Fund budget was set aside for technical assistance to Turkey in the control of poppy production. With these funds, the jeeps used by the control teams were equipped with two-way radios and the teams were provided with additional vehicles. This year an airplane will be furnished for aerial control. The Turkish Government did not apply for the $5 million fund that had been earmarked to offset the loss the Turkish farmers might have suffered as a result of selling their poppy capsules without lancing them. In fact, the Turkish Government did not even mention it. Because it precluded any loss to the farmers by implementing a satisfactory price policy. We are pleased by this attitude of Turkey. The success of this vital project is not fully known by other governments and the general public in other countries. The Turkish Government is being very modest about this subject and is not publicizing it adequately. This project has succeeded with the cooperation of the Turkish farmer and the determination of his Government. We must work to make the whole world aware of this."

Dr. George M. Ling of Canada, Director of the U.N. Division of Narcotic Drugs:

"This is the most successful program carried out by my department to this date. The trust of the Turkish people in this program, their honesty and realistic attitude, the smooth coordination among the relevant Turkish agencies and the effective control of prescriptions by the Ministry of Health have all been highly instrumental in this.

"When the alkaloid factory starts its production, the Turkish people will be able to buy medicines cheaper, and Turkey's export possibilities will be increased. We view this factory with great appreciation."

In another press conference held in Ankara on July 14, 1976, a question was raised regarding the allegations in the Greek and Greek Cypriot press to the effect that opium poppy was being cultivated in the Turkish sector of Cyprus and was being smuggled to other countries. Prof. Reuter and Dr. Long answered these allegations:

"There is not the slightest evidence or indication that opium is grown in the Turkish sector of Cyprus. It is not possible to conclude that just because contraband opium was discovered on a ship sailing under Turkish Cypriot flag, the narcotic originated in the Turkish sector. It is always possible that it could have been gotten on board from other sources. Since we have witnessed many times that countries with disputes with each other try to discredit one another with such false propaganda, we investigate these allegations very carefully and thoroughly. An allegation made by a certain country to the effect that narcotics were being smuggled out of mainland China, took us four years to investigate. At the end we determined that the accusation was baseless. Similarly, no evidence was found to prove that opium poppy was being cultivated in the Turkish sector of Cyprus."

At the same press conference the U.N. officials were asked whether programs were being carried out in other countries similar to that in Turkey and what was their degree of success. Their comment was:

"Different programs are being implemented in different countries. But it is true that none of them is as successful as the one in Turkey. The reasons for this are evident. The poppy cultivation area in Turkey are close to one another. Also, communications facilities are sufficient and well organized. Furthermore, there exist effective police and gendarmarie controls. These forces are well organized and efficient. Turkey is a developed country in this regard. In other countries poppy cultivation is done on hillsides and other areas that are difficult to reach, and this hinders controls.

"The personnel of the Soil Products Office have greatly contributed to the success of controlled poppy cultivation in Turkey. Also, the understanding and good faith displayed by the Turkish farmers cannot be denied. The farmers express their satisfaction with this system."

JULIUS A. POLANSKY, WEATHER OBSERVER, RECEIVES AWARD

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. PICKLE. Mr. Speaker, in the last few years, various social observers and critics have expressed dismay about the lack of the volunteer spirit in America. It seems to me that many have stated that no one will do anything unless he is paid for it.

Perhaps this is a legitimate concern, but I continue to see example after example that the citizens of this country are willing to perform selfless deeds.

Such an individual is Julius A. Polansky, who lives in the 10th Congressional District at Dime Box, Tex. For more than 30 years Mr. Polansky has been a volunteer rainfall observer for the National Weather Service.

Recently, Mr. Polansky was recognized for his outstanding accomplishment in this meaningful area, by being selected for the John C. Holm Award, an annual National Weather Service award sponsored by the U.S. Department of Commerce.

I include a news release from the Department of Commerce with more information about this prestigious award:

WASHINGTON.—Julius A. Polansky, a volunteer rainfall observer for the National Weather Service at Dime Box, Texas, has been selected to receive the John Campanius Holm Award. The names of 35 winners selected nationwide to receive this annual award were announced today by the U.S. Department of Commerce's National Oceanic and Atmospheric Administration (NOAA), parent agency of the National Weather Service.

John Campanius Holm Awards, created in 1959 by the National Weather Service, are made annually to honor volunteer observers for outstanding accomplishments in the field of meteorological observations. The award is named for a Lutheran minister who is the first person known to have taken systematic weather observations in the American colonies. The Reverend John Campanius made records of the climate, without the use of instruments, in 1644 and 1645, near the present site of Wilmington, Delaware. These observations were published in Sweden by his grandson, Thomas Campanius Holm, in 1702.

Mr. Polansky has been an accurate, consistent observer for 35 years. He has generously shared these daily observations with this community in south central Texas. His rainfall amounts are also published by the Giddings, Texas, newspaper.

The National Weather Service has nearly 12,000 volunteer observers who make and record daily weather observations in all parts of the United States. The valuable information they gather is processed and published by the Environmental Data Service, another major component of NOAA, and becomes a valuable part of the Nation's weather history.

ENERGY NEEDS

HON. JIM LLOYD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. LLOYD of California. Mr. Speaker, in 1952, the President's Materials Policy Commission published a report, "Resources For Freeodm," which warned of the energy crisis this Nation would face in the 1970's if we did not commit ourselves to seek alternative sources of fuel and adopt meaningful conservation measures. Because oil was cheap and plentiful, few paid attention to that report. Today, however, we can no longer afford to ignore the long-term energy crisis that still confronts us.

During my first term in Congress, I have received many letters from constituents of the 35th Congressional District about energy issues. Some offered suggestions which have been translated into law. I would like to outline specific action the 94th Congress has taken to meet our present and future energy needs.

Energy policy: The Energy Policy and Conservation Act established a comprehensive national energy policy that brought down gasoline prices in the first half of 1976, and provides for oil price decontrol over 40 months. The act also authorizes a strategic petroleum reserve and provides for energy conservation, energy efficient cars and appliances, and aid to small coal mine operators. The bill became law.

ERDA authorization: The House and Senate are soon expected to agree upon fiscal 1977 authorization for the Energy Research and Development Administration—ERDA. Included in this bill will be increased funding for solar energy research and development. Earlier this year, ERDA had requested $116 million for all solar programs for fiscal 1977. Congress, however, recognizing the great potential of solar energy, is expected to provide over one-quarter billion, in effect, doubling the ERDA request. ERDA is also strongly supporting nuclear, synthetic, and traditional fuel research and development.

FEA authorization: The fiscal 1977 Federal Energy Administration authorization includes a 3-year program to help low-income persons weatherize their homes; a series of demonstration programs to encourage other homeowners to weatherize their homes to save fuel; information for homeowners on the costs and savings of energy conservation investments; and a loan guarantee program to encourage large energy users to make energy-saving improvements in buildings that could not be reasonably financed with Federal backing.

Automobile research bills: Congress voted to establish a 5-year, $160 million

project for research and demonstration of electric and "hybrid" cars using new fuels or using fuels in a new way. The bill now goes to President Ford for his signature. The House also approved a House-Senate conference version of a bill to authorize $100 million through fiscal 1978 for research into cars that pollute less.

Natural gas: Legislation to encourage natural gas production by reregulating the price for major producers and deregulating it for independents has passed both House and Senate in different forms.

Coastal Zone Management Act amendments: This bill accelerates the orderly development of vast offshore reserves. Perhaps the most important feature of this bill is that, for the first time, recognition is given to State and local governments in our Federal energy program. They will become partners with the Federal Government in the development of our offshore oil and gas fields.

Elk Hills: Congress enacted a law which will convert the 33-billion barrel Alaska naval petroleum reserve into a national reserve and authorize production from Elk Hills, Buena Vista, and Teapot Dome Reserves. Strict production limitations will match reserves for a national defense emergency.

Mr. Speaker, as a member of the Science and Technology Committee, I have had the opportunity to review the work being done by the Energy Research and Development Administration—ERDA—in identifying alternative energy sources and the role the Federal Government can play in commercially developing these sources. The ERDA has published a report, "Creating Energy Choice for the Future," which I recommend to my colleagues. How tragic it would be for this Nation if we ignored this report, in the same manner as was done in 1952.

"Creating Energy Choices for the Future," a proposed national plan for energy research, development, and demonstration, describes programs now underway and supported by the Federal Government. It does not include energy research and development in industry or elsewhere unless Federal funds are involved. It describes technologies being investigated and activities underway and planned in Federal energy research and development programs. It presents ERDA's views on the courses of action that the Federal Government should take in assisting the private sector in finding solutions to the national energy problem.

The primary responsibility for bringing new technologies into use for energy conservation and expanding domestic energy production rests with the private sector. The Federal Government's responsibility is to assist the private sector in the development and market penetration of new energy technologies by establishing an appropriate policy for private action, sharing risks with the private sector in some cases, and conducting a supporting research, development program.

Overall, the Federal energy research and development program provides assistance to industry in developing and using new or improved energy technologies when such innovations are in the public interest but cannot be accomplished by industry acting alone. Accordingly, it is the Federal Government's intent to minimize the public financial commitment and to press for the highest levels of industry cooperation and involvement. This approach was chosen in order to accelerate the development of new technologies, to make maximum use of industry's expertise and speed the process of bringing technology into use.

The private sector has the primary responsibility for developing and bringing into use the technology needed to fulfill our energy needs. Accordingly, ERDA believes that industry should play a significant part in the development of future plans and programs. The ERDA is encouraging the participation of the private sector to help insure the economic viability of research and development efforts supported by the Government.

This document does not commit the Federal Government to support specific large demonstrations, but identifiies projects that may have potential and warrant further consideration. I offer a brief summary from the ERDA report on promising alternative energy sources:

FOSSIL ENERGY

Research, development, and demonstration activities are supported by the federal government to assist industry in developing and bringing into use technologies to extend the recoverable base of domestic oil and natural gas resources, and to make coal and oil shale more economically and environmentally attractive.

The coal program comprises several RD&D activities designed to assist industry in developing second generation technologies to convert coal to more widely useful and cleaner synthetic fuels; develop environmentally acceptable and economic methods to burn coal; and find more efficient means to generate electric power from coal resources.

Petroleum and natural gas programs are being conducted jointly with industry to determine the optimum application of tertiary recovery and stimulation techniques to the multiplicity of domestic resource reserves.

The unique aspects of in-situ resource recovery techniques are being explored and developed for potential application in coal gasification and shale oil recovery in another program receiving federal support.

Programs in resource appraisal and extraction technologies seek to determine the extent and quality of domestic fossil fuel resource and improved methods for mining that incorporate greater efficiency and safety and enhance environmental integrity.

SOLAR ENERGY

Solar heating and cooling is comprised of those technologies that make use of the radiant energy of the sun on a decentralized basis to provide space conditioning and hot water for a variety of uses. The technologies are now at a sufficient level of sophistication to allow for practical application, but have failed to achieve effective market penetration owing to a number of constraints, notably economic and institutional. The federal effort is largely centered on demonstration programs in cooperation with industry designed to show the applicability of solar heating and cooling systems to a number of uses and in a number of environments. These include residential and commercial space conditioning and hot water production, and agricultural crop drying.

The longer-range goal of harnessing the sun's radiation for centralized energy production is being approached simultaneously in a variety of ways: solar thermal collection, wind power, ocean thermal gradient, and fuels from biomass.

Several types of solar thermal collection techniques are being brought to the pilot plant phase of development to test systems concepts and validate economic projections. These include a 5 MWe solar thermal test facility and the conceptual design of a 10 MWe central receiver pilot plant, both to be completed in FY 1977.

A photovoltaic program aimed at systems definition and cost reduction of photovoltaic cells represents another unique approach to the development of solar energy technology for electric power production. A price of less than $2000 per peak kilowatt (its present cost) for planar solar cells and the establishment of the viability of the technology by 1982 are primary objectives of the ERDA program.

The wind power program will build and test successively larger wind-powered electrical-generating machines to determine applications and economic feasibility.

Ocean thermal gradients offer potential for energy production in several forms. The federal program for this technology currently emphasizes system studies, criteria development for testing facilities, and component design and testing.

Agricultural and forest residues and marine biomass offer potential for clean fuels and industrial chemicals. The federal program emphasizes the demonstration of an economically feasible technology for the development of this energy source.

GEOTHERMAL ENERGY

Program efforts are intended to aid in the establishment of a geothermal industry to encourage the commercial use of existing technologies to recover useful energy from low-salinity hydrothermal resources. Federal support includes geothermal resource exploration and assessment, the development and demonstration of improved plant components, and a loan guaranty program.

Other program highlights consist of advanced technology development activities designed to improve means to recover energy from higher-salinity hydrothermal resources, including verification of the use of binary cycles, demonstrating the feasibility of removing useful energy from hot dry rock sources with circulating fluids, and continuing research on concepts for economical extraction of energy from geopressured zones.

Federal coordination is effected through a Geothermal Advisory Council. The Council advises one the direction and relevance of the research, studies, educational programs, land leasing policies, environmental standards development, and the other federal agency activities that must be coordinated to bring about viable technical and industrial bases for geothermal energy development.

CONSERVATION

Federal programs in this area attempt to assist industry in developing technology to aid in reducing wasteful patterns of energy consumption and increasing efficiency of equipment used in energy conversion, distribution and consumption. The aim is to encourage more efficient patterns of energy use through the development of new technologies and approaches that will have a major impact on energy consumption in the future.

The RD&D Conservation efforts are supported by the following programs: Electric Energy Systems, Energy Storage Systems, Industry Conservation, Buildings Conservation, Transportation Energy Conservation, and Energy Conservation.

Representative ongoing activities include: testing of alternative energy-saving building designs; development of building design standards; testing of devices to reduce energy losses in existing structures; improve-

ment in the energy efficiency of processes (such as distillation) common to many industries; development and testing of alternative transportation vehicle propulsion systems; testing of approach to improve driver operation and maintenance practices; development of electrical system management techniques and components to meet future needs for efficient and reliable operation and exploration of processes and components (e.g., storage devices, heat recuperators, and combustion processes) fundamental to end-use energy efficiency in a number of areas.

FUSION POWER R&D

The Fusion program comprises two substantially different technological approaches to the production of usable energy from controlled thermonuclear reactions: magnetic confinement, and inertial confinement. FY 1977 funding (Budget Authority) for the program has increased a substantial 57 percent over FY 1976 levels, most of which is required to sustain the technical directions already in progress. Primary programmatic emphasis is shifting from basic physics research towards more practical systems development. Such a transition inherently involves costlier equipments and facilities, and larger and more diverse technical staffs.

The magnetic confinement approach has recently achieved reactor-level temperatures and a ten-fold increase in plasma confinement conditions in a magnetic mirror device. A similar advance was achieved in a tokamak device. Current work includes further testing of a superconducting magnet system for plasma confinement, and completion and operation of a rotation target neutral beam source for plasma heating.

NUCLEAR FUEL CYCLE R&D AND SAFEGUARDS

This effort consists of six major program activities: Uranium Resource Assessment, Support of the Nuclear Fuel Cycle, Waste Management (Commercial), Nuclear Materials Security and Safeguards, Uranium Enrichment Process Development, and Advanced Isotope Separation Technology. The program activities in this effort are wide in scope. For example, activities are directed toward assessing the extent of uranium resources, and assisting industry in overcoming technical and institutional uncertainties in the areas of fuel reprocessing and recycle and waste management, and developing and demonstrating efficient and effective safeguards systems for the light water reactor and advanced fuel cycle systems.

Other activities are directed toward continuing the development of gaseous diffusion technology for use in increasing production capacity at existing gaseous diffusion plants, continuing the development of gas centrifuge technology to be available for early use by an expanding domestic uranium enrichment industry. Finally, there are activities to investigate and develop additional isotope separation processes which have the potential for significantly reducing the cost of enriched materials and enhancing the introduction of these technologies into the marketplace.

FISSION POWER

There are six major program areas: Liquid Metal Fast Breeder Reactors; Water Cooled Breeder Reactors; Gas Cooled Reactors; Light Water Reactor Technology; Supporting Activities; and Reactor Safety Facilities.

Near-term increases in the amount of energy produced from nuclear sources may be possible through cooperation with industry to improve licensability, constructability, and operating availability of light water reactors, which are now being marketed by industry and operated by the utilities.

Mid-term impact is possible on both energy supply and energy resources through continued improvements in these reactors which make more efficient use of available nuclear fuel. Long-term impact on energy resources will be realized with the successful commercial introduction of breeder reactors which have the capability to increase energy available from the reactor by a factor of sixty. The availability of breeder reactors can assure our nation clean and economic energy for centuries.

Substantial involvement of the private sector is necessary to ensure that the technologies which are being developed and improved are commercially viable. A major federal involvement is necessary because of the long-term payoff inherent in the program. Safety and environmental research activities are uppermost in the development program due to public concern, although the safety record of fission power is unequaled by any other industry.

Mr. Speaker, as demonstrated by legislation considered and acted upon by the 94th Congress, and by the ERDA report, we have begun to deal with the energy crisis. We have much more to do, but we have taken steps to offer viable short- and long-term energy alternatives to the American public.

STRIKING MEDALS TO COMMEMORATE VALLEY FORGE

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. SCHULZE. Mr. Speaker, as the ranking minority member of the House Banking, Currency and Housing Subcommittee on Historic Preservation and Coinage, I am proud to introduce legislation today which would provide for the striking of medals to commemorate the 200th anniversay of the encampment of the American Army during the bitter winter at Valley Forge—1777–78. This action appropriately follows enactment of legislation which I sponsored to provide for the establishment of the Valley Forge National Historical Park in the Commonwealth of Pennsylvania.

Now that Valley Forge will secure its proper identfication in our national life, it is appropriate that we commemorate the bicentennial of the event which forged the cause of our American freedoms.

My bill will provide for the manufacture of up to 500 silver and 50,000 bronze National Mint medals—each bearing a common design approved by the Treasury Secretary and concurred with by the Fine Arts Commission.

I have inserted a new provision in this bill which provides that the designs of the medals be approved by the Commission on Fine Arts. They have the authority, in accordance with an Executive order issued by President Harding, to approve the designs of all coins and medals. Although this practice has not been utilized in recent years, I believe, and the General Counsel of the Mint concurs, that it is appropriate to include the provision in the bill since the Commission has recently expressed concern over the fact that their function is being bypassed. I am a firm believer of the role that the Commission is, by law, mandated to perform.

I urge my colleagues to join me in support of this legislation to etch in coin one of the most meaningful events of our history—a symbol and reminder of the spirit and strength which makes us free.

The text of my legislation follows:

H.R. 15420

A bill to provide for the striking of medals commemorating the 200th anniversary of the encampment of the American Army during the bitter winter at Valley Forge

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in commemoration of the 200th anniversary of the encampment of the American Army commanded by General George Washington during the bitter winter at Valley Forge, Pennsylvania, the Secretary of the Treasury (hereinafter in this Act referred to as the "Secretary") shall strike and deliver to the Valley Forge Historical Society, Incorporated, Valley Forge, Pennsylvania (hereinafter in this Act referred to as the "Society"), not more than fifty thousand sterling silver and bronze medals, 1 5/16 inches in diameter, with suitable emblems, devices and inscriptions to be determined by the Society, with the concurrence of the Commission on Fine Arts, subject to approval by the Secretary.

(b) Such medals—

(1) are national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368); and

(2) may be disposed of by the Society at a premium.

SEC. 2. (a) Except as provided in subsection (b), the medals authorized to be struck and delivered under section 1 shall be delivered at such times as may be required by the Society in quantities of not less than two thousand, but no such medals shall be struck after December 31, 1978.

(b) The Secretary shall deliver—

(1) five hundred sterling silver medals, the first two hundred and fifty of which shall be in sequence, and

(2) five thousand bronze medals,

by September 1, 1977.

SEC. 3. The Secretary shall cause the medals authorized to be struck and delivered under section 1 to be struck and delivered at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

PROTECTING PROPERTY RIGHTS OF THE WIFE UNDER FEDERAL ESTATE TAX LAWS

HON. ROBERT W. KASTEN, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. KASTEN. Mr. Speaker, yesterday, I introduced an amendment to H.R. 14844 which would modify section 3(c), "Fractional Interest of Spouse," to allow exclusion from the value of an estate of a spouse's interest in any joint tenancy after December 31, 1976.

One of my original concerns with Federal estate tax reform was the failure of current law to recognize joint tenancies by allowing a wife to exclude her share of the property from the value of her husband's estate.

A typical example of the inequity of

the current law would be the case of a couple who purchased a small farm, literally on a shoestring, 20 or 30 years ago. The effects of inflation, particularly dramatic appreciation of land values over the years, and the capital improvements made by an industrious couple have resulted in a moderate-sized operation with a paper value many times their original investment.

They have long since established joint ownership under State law and, by all standards, the wife has been an equal partner in building what they have achieved. Yet, when the husband dies the entire property, in the eyes of the Federal Government, will be treated as though he were the sole owner.

Under current law, the wife will not be allowed to exclude her half of the property from the value of the estate and will, in fact, have to pay estate tax on what she herself has earned.

Recognizing the injustice of similar policies, States are moving to correct their own inheritance tax laws. Just this year the State of Wisconsin enacted legislation allowing up to a 50-percent inheritance tax exemption for all surviving joint tenants. Past law required proof of contribution "in money or money's worth" to the estate's value in order to qualify for the exemption.

It was encouraging when the Ways and Means Committee addressed the inequity in Federal law by including a section in H.R. 14844 allowing half of a jointly held property to be excluded from the estate tax.

However, close examination of this provision reveals a cure that, in some cases, could be worse than the illness. At best, it offers a tradeoff as to which kind of tax you want the Federal Government to impose.

The allowance in the committee bill for exclusion of the wife's half of the property is only under the condition that after December 31, 1976, the husband and wife elect to create a joint tenancy, and elect to take the tax liability of transfering a gift to each other. They are subject to the gift tax liability even if they already have established joint tenancy under State law.

In other words, Mr. Speaker, even if the property is already jointly owned, we are saying, "You have a choice: the Federal Government will tax your joint property now; or we will tax it twice later, once when your husband dies and again when you die."

Mr. Speaker, it is patently unfair to impose a gift tax on that which is not a gift, and joint property is owned half by each.

How can we justify taxing it as a gift if we are serious about "reforming" the major inequities in the Federal estate tax laws.

My amendment to H.R. 14844 eliminates the gift tax election and redefines a "qualified joint interest" as any joint tenancy between a husband and wife, applicable to all estate after December 31, 1976.

It is not my intention to establish Federal guidelines as to what kind of interests can qualify as jointly held property. That is a legal question that varies widely from State to State. I believe the Federal role should be to give recognition to State laws in this regard by allowing exclusion of the spouse's interest where a joint tenancy exists in accordance with State law.

It also is not my intention to single out any particular kind of property for special treatment. A family's home should qualify as well as their business, farm, or antique collection, if the property is jointly owned.

I strongly urge my colleagues to look closely at the difficulties inherent in ignoring a wife's share of the family's property when computing the value of the husband's estate. This amendment will correct a longstanding injustice, and I urge its inclusion in the estate tax reform bill.

Mr. Speaker, the second amendment I have offered is to Mr. BURLESON'S substitue for H.R. 14844. Mr. BURLESON'S amendment, which is identical to the language of H.R. 1973, does not contain any provision recognizing joint tenancy interests of a spouse. Therefore, my amendment would add a new section to Mr. BURLESON'S bill identical to section 3(c) of H.R. 14844, "Fractional Interest of Spouse," as amended by my proposal to eliminate gift tax liability in creating a joint tenancy.

THE POWER TO TAX INVOLVES THE POWER TO DESTROY

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. PAUL. Mr. Speaker, Chief Justice John Marshall, in his famous decision, "McCulloch against Maryland" (1819), set forth the incontrovertible principle, "the power to tax involves the power to destroy; * * *" The estate tax is the worst tax of all taxes that might be conceived, for the power to tax a dead man's estate confers on the civil government the power to undermine the integrity of the family.

The estate tax should be abolished at the Federal level, the State level, and any other level of civil government that attempts to impose it. I will vote if I have the chance to raise the exemption figure to $200,000, not because I think it is right or wise to tax an estate that is worth more than $200,000, but because this proposal will at least remove many families out from under the atrocious burden of this odious tax. If I had the opportunity to vote for a proposal that would exempt estates up to $200 million, I would vote for it with equal enthusiasm.

This tax is the product of envy, one of the most devastating evils of the human personality. Envy wants to tear down anything that is above it, socially, economically, and culturally. No one who has studied the distribution of wealth in this Nation could sensibly believe that a redistribution of wealth from the very rich to the whole population could raise the level of income of the poor to any great extent or for more than a few weeks. There are not that many rich people, and there are too many poor people. Therefore, the politically hypnotic slogan, "soak the rich," is a fool's catch phrase. The rich are not soaked. They have their family equity trusts that remove them from the tax collector's grasping hands. Their estates are not held personally, so they do not suffer the effects of the estate tax. The famous family of the Vice President—grandfather, father, brothers, or cousins—has not been "soaked" by the estate tax. But average upper middle-class farmer has no knowledge of the family equity trust. He has not set up an inexpensive Delaware corporation for his family. He has only worked hard, poured his earnings back into the improvement of his land and equipment, and when he dies, his assets wind up in the hands of the tax collector.

Those who wanted to "soak the rich" through discriminatory legislation have seen the fruition of their envious schemes: The soaking of the not-so-rich. It will be interesting to see whether Congress will acknowledge the error of the present levels of estate taxation and remove the burden imposed on the not-so-rich. I hope we do. When we finally get this odious tax levied only on the truly rich, then it will become a dead letter, which it dearly deserves to become. I do not worry too much about the very rich, for they have their tax lawyers, their accountants, their tax-free trusts on the Grand Cayman Island, their family equity trusts, and all the other so-called "loopholes" that we in Congress yell about but will not, cannot, and should not close.

What this country needs is "loopholes" for everyone. Let the little guy get a piece of the "loophole" action. Let everyone get out from under the massive burden of taxation that has been placed on his back, all in the name of soaking the rich or helping the needy. The people helped are the upper middle-class bureaucrats who administer these boondoggles, and now the inflation tax is catching up to them, too.

What this country needs is a loophole in every pot and two-family equity trusts in every garage. More loopholes and fewer tax lawyers. Democratize the loopholes.

And, of course, cut Federal spending to accommodate the loopholes.

In defense of my statement that the inheritance tax or estate tax is the worst of all possible taxes, since it jeopardizes the integrity of the family, I offer the analysis of Rev. Rousas John Rushdoony:

> Where the father possesses private property and provides for his children's care and future, and controls their inheritance, it is the authority of the father which governs the family. Where the state assumes the responsibility for the welfare and education of the children, and assures them of future social security, it is the authority of the state which governs the children. Power over property is authority. Where the state controls property, income, and inheritance, power has been transferred to the state.

No one should consider the estate tax bill and its provision for raising the exemption without being aware of Rev-

erend Rushdoony's analysis, which appears in his outstanding little book, "Law and Liberty," Craig Press, 1971. I am inserting the relevant passages into the RECORD for the consideration of my colleagues:

THE FAMILY AND INHERITANCE

Property is power, and the control of property is therefore the key to power. Basic to all control of property is the control of inheritance. According to the Columbia Encyclopedia, inheritance in law is the "right to acquire property on the death of the owner. . . . In Anglo-American law inheritance is by the grace of the state, which may exercise any degree of control over the property of the decedent (i.e., the owner who dies), including the total escheat (i.e., government acquisition of title)." "By the grace of the state"! And how much grace does a state have? Since when has the state been the source of grace?

When the state enters into the question of inheritance, property gradually is transferred from the family to the state. The inheritance tax is simply a first step in that program of confiscation. For the family to maintain itself, the family must control inheritance, and the Biblical laws of inheritance are entirely family laws. The Bible kept property immune from taxation and from anything but family control of inheritance.

Inheritance, according to the Bible, was a sign of faith, character, and godliness on the part of a man. The Bible declares, "A good man leaveth an inheritance to his children's children" (Prov. 13:22). And, as H. B. Clark, a law editor, stated in his study of Biblical Law, "There is nothing in Jewish law to warrant the belief that the King or the State has any right to inherit property upon the death of the owner without lawful heirs." The control of property and inheritance is entirely within the jurisdiction of the family in Biblical law.

What was the consequence of the Biblical law of inheritance? It meant simply that power was concentrated into the hands of the family. This meant that the authority of the family over its children was a very real one, and an undiminished power. The discipline of the parents over their children was unquestioned, because authority and economic power rested in the family. The Bible is a realistic book. God knows that man respects only authority which has power behind it. When an order is given, that order is futile unless it can be supported by the power to enforce it. If power is transferred from the family to the state, then the ability to give orders and to maintain order is transferred from the family to the state. Educational philosophers begin to speak of "the children of the state," because parental authority has been transferred to the state.

According to Carle C. Zimmerman and Lucius F. Cervantes, in their study, Marriage and the Family. Western society has had a family organization since Christianity became the faith of the West. A man's life, from birth to death, is guided, affected, and colored by family relations. The basic unit of the social order is the family. The family is the socially stable unit where the family has liberty and property.

As a result, the totalitarians hate the family and declare it to be the enemy of social change. Totalitarianism hates the family because it is the basic thesis of all totalitarians that man's first loyalty must be to the state, whereas the Christian family's first allegiance is to the triune God. The totalitarian therefore seeks to abolish the family. Lenin said, "No nation can be free when half of the population is enslaved in the kitchen." As a result, the Communist state abolished the family as a legal entity until 1936, and the family since then has merely been a legal breeding ground for the state. The Soviet Union, two years after the Revolution, announced, "The family has ceased to be a necessity, both for its members and for the State." Women were "freed" from the kitchen only to become the unskilled labor force of the Soviet Union. According to Zimmerman and Cervantes, among the means taken by the Soviet Union "to abolish the family" were the following:

"The forbidding of parents to give religious instruction to their children, the encouraging of children to denounce their parents, the abolishing of inheritance, the equalization of the 'nonregistered marriage' with the registered one, the promulgation of three forms of common menage contract: for an indefinite period, for a definite period, for a single occasion. This latter legal expedient was a propaganda piece aimed to demolish the difference between prostitution, promiscuity, and monogamy. The legalization of bigamy and the abolishing of the legal differences between legitimacy and illegitimacy were other minor steps with the same purport of the destruction of the family."

"Free love in a free state" became the ideal. Family life was declared to be "especially harmful to collective life" (Carle C. Zimmerman and Lucius F. Cervantes, Marriage and the Family, Chicago: Regnery, 1956, p. 525).

In the United States, the attack on the family is being steadily mounted. The state increasingly claims jurisdiction over the family, its children, income, and property. The state assumes that it knows what is best for the children, and it claims the right to interfere for the children's welfare. As a result, the family is progressively weakened in order to strengthen the power of the state. The authority of parents is legally weakened and children are given legal rights to undercut their parents. According to Zimmerman and Cervantes, the reality today in our courts is a very startling one. They report:

"Thus in New York, Chicago, and Boston, children are now allowed to sue second spouses of a parent some years later for 'alienation' of the love and affection of the parent. In New York and Chicago the children have won these cases, but they are still pending in Boston. Thus, also, we have the New York case where a divorced mother—custodian of children—was imprisoned for neglect some years after the divorce. The husband was safe because he was not given custody, although the earlier 'discoloration' theory would have blamed him also" (ibid., p. 598).

Such powers, when given to the child, are not for the child's welfare. They are destructive of the family and of the child, and the more the state legislates over the family, supposedly for its welfare, the more it destroys the family.

No institution can long exist if it is not free. The more controlled an institution becomes, the less life it has. Its life and functions are transferred to the controlling agent, or they simply cease to be. How long would a club last, if its every act were controlled by the state? The life and authority of the family depends on the liberty of the family, and the economic expression of the family's independence is the right to private ownership of property and the right of inheritance.

Now where the family controls inheritance, it also controls marriage. This Frederick Engels noted in his study of The Origin of the Family, Private Property, and the State. But the Bible long ago plainly recorded it. When Jacob became the heir, his father Isaac "blessed him and charged him, and said unto him, Thou shalt not take a wife of the daughters of Canaan" (Gen. 28:1). In other words, the father had the power to require a godly marriage; because Isaac was leaving a sizable inheritance, he had a stake in the future, and because he had a stake in that future, he had a right to control it by requiring a godly marriage. This was a legitimate and godly power. The Bible as a result gives a great deal of space to laws of inheritance Roger Sherman Galer, in his classification of Biblical law, takes more than seven pages merely to list these laws (Roger Sherman Galer, Old Testament Law for Bible Students, New York: Macmillan, 1922, pp. 85–101).

Where the father possesses private property and provides for his children's care and future, and controls their inheritance, it is the authority of the father which governs the family. Where the state assumes the responsibility for the welfare and education of the children, and assures them of future social security, it is the authority of the state which governs the children. Power over private property is authority. Where the state controls property, income, and inheritance, power has been transferred to the state. Honor and authority go hand in hand, and, where parents have authority, they are more readily honored. The Biblical law declares, "Honour thy father and thy mother; that thy days may be long upon the land which the LORD thy God giveth thee" (Ex. 20:12). It is because God gave this law that He gave also the laws concerning private ownership of property and the right of inheritance. The two go hand in hand. God forbids adultery, because He has ordained and established the family as the basic and central social unit of mankind. God therefore commands private ownership of property and private control of inheritance in order that the family may be maintained in its honor and authority. We do not honor the family or parents if we strip them of their powers.

In fact, we are now being told that the family is obsolete. One prominent and influential churchman has said that the family is, like the tribe, a relic of the past. The tribe served its purpose and is now gone; the family, a great institution for its time, has also seen its day, and it must make way for a new structuring of society.

The death of the family is therefore planned, and, on every continent, the executioners are at work. Together with the death of the family, the "death" of God is also proclaimed, and we are assured that the new age has no need for God or the family. The menace and intensity of dedication of these hostile forces cannot be underestimated. They are an active, powerful, and highly organized force in modern society.

But, even more, we dare not underestimate the power of the triune God, Who rules the nations and fulfills His holy purpose despite all the vain conspiracies and wild imaginations of men. But none can share in God's victory unless they stand forth clearly in terms of Him and His holy cause, unless they separate themselves unto Him. Jesus Christ said, "He that is not with me, is against me: and he that gathereth not with me, scattereth abroad" (Matt. 12:30). And you, where do you stand?

THE INTRODUCTION OF FEDERAL SHARED-RISK INSURANCE ACT OF 1976

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. ASHLEY. Mr. Speaker, we are all very much aware that existing housing is this country's primary housing resource and that preservation of that housing stock is of paramount importance if we are to achieve our national goal of providing decent and adequate housing for all Americans. However, we are now confronted with the continuing waste of that valuable resource through neighborhood

decline. As new, suburban communities and neighborhoods have appeared, older, residential areas lying closer to the core of our central cities have gone through a process of costly decline. The continuation of this decline and the resulting depletion of existing housing stock immeasurably affects our ability to provide decent housing for every citizen.

However, the problems of housing, and those of urban decline in particular are diverse. Their causes are numerous, complex, and often interrelated. These problems will not be solved by a single stroke. Rather any number of approaches will be required if we are to achieve our goal. The proposal for an alternative mortgage instrument tailored to meet the needs of a specific segment of the public seeking housing, which Senator BROCK and I introduced, is an example of the type of approach that will be required. The bill I am introducing today, the Federal Shared-Risk Insurance Act of 1976 is analogous to the Housing Incentive Investment Act. It, too, is specifically designed to alleviate one facet of the problem of urban decline—that of the reluctance of mortgage lenders to make certain loans in certain urban neighborhoods. The bill would establish a corporation to provide mortgage loan insurance. The availability of this insurance would enable the Government and private lenders to share the risk of loss in situations where the risk is greater than private lenders can reasonably be expected to bear on their own. This bill will make additional mortgage funds available for lending on existing homes located in older, residential neighborhoods.

However, it should be stressed that the insurance company created in this bill would avoid the problems and pitfalls of previous, well-intentioned efforts to "insure the inner city." Rather it would only provide the assistance and impetus necessary to encourage private lenders to voluntarily make safe and sound loans on older properties without impairing their own safety and soundness.

I would like first to outline the proposal and then to highlight certain things that it will do and certain things it will not do.

Briefly, the Federal Shared-Risk Insurance Act of 1976 would establish a self-sustaining corporation, the Federal shared-risk insurance fund, which would insure mortgage loans made in neighborhoods with a recent history of low mortgage investment. Areas qualifying for the insurance program will be determined by reference to the actual lending activity of depository institutions in prior years. Only loans made in areas that received less than a certain percentage of the overall average dollar amount of loans originated per area would be eligible for the insurance. Census tracts would be utilized to establish the geographical boundaries of the "shared-risk" areas. Depository institutions would certify that a particular loan is eligible for insurance, under guidelines established by the fund. This insurance would be available to all federally regulated depository institutions and would insure up to a maximum of 80 percent of the risk of loss on eligible loans. To be eligible a loan would have to be secured by residential property located in a qualifying area and the borrower would be required to have a minimum of 15 percent equity—downpayment—in the property. The fund, an independent corporation, although initially capitalized by the Government, would be required to operate on a fiscally sound basis and would be managed by a three-person board of directors, appointed by the President and confirmed by the Senate.

I would like to now highlight certain things the bill will do and certain things it will not do.

First, the bill will represent an opportunity for the exercise of private initiative in meeting the problem of urban decline. The fund will rely on determinations made by the depository institutions seeking to use the insurance. Use of this insurance will be wholly voluntary. Reliance on the private sector obviates the need for creation of a bureaucracy attempting to administer from afar to local needs.

Second, the bill will provide a constructive use of the information collected pursuant to the Home Mortgage Disclosure Act as this information may serve as the data base on which the decision as to which neighborhoods qualify is made.

Third, the bill will encourage sound underwriting on the part of the lenders. Insurance coverage is limited to a maximum of 80 percent of the risk of loss. The remainder of that risk of loss lies with the lender. This sound underwriting, together with the statutory mandate that the Fund operate on a fiscally sound basis, distinguishes this proposal from the massive subsidy approaches which have too often led to disappointment and failure.

Fourth, this bill will create a flexible program. Although the recent lending history of depository institutions will be the primary factor in the insurance qualification process, the fund is granted sufficient discretion to enable it to target its resources to those areas where maximum benefits will obtain. Further, this flexibility should enhance the attractiveness of the insurance to the private market.

Thus, the bill will do a number of things, but so too, there are a number of things it will not do. First, it will not totally solve the problem of urban decline. The insurance is neither envisioned nor designed as a cure-all for urban decline. However, the bill will provide an additional, and I believe, important tool to those who seek to preserve existing neighborhoods.

Second, the bill will not be effective in terminally blighted neighborhoods characterized by extremely low incomes, heavy absentee ownership, severe vandalism, abandonment, and demolition. But it will be useful in those neighborhoods which are in the beginning stages of a cycle that would probably lead to a blighted condition if not stayed.

Third, the bill will not replace the Neighborhood Housing Services program which is already successful. NHS programs have amply demonstrated that safe and sound loans—even without insurance—are to be found in many older, residential neighborhoods. The bill may, however, serve to complement the efforts of NHS in turning around declining neighborhoods. Equally as important, it will serve to encourage lending in neighborhoods not presently served by NHS programs.

This, in essence, is what the Federal Shared-Risk Insurance Act of 1976 is, and what it will and will not do. I am committed to the goals that this legislation would help us achieve and I am encouraged by its potential. I urge its early consideration.

A DEEPER ANALYSIS OF CARTER'S REFRAIN

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. STEIGER of Wisconsin. Mr. Speaker, each night's newscasts bring us film clips of former Gov. Jimmy Carter asserting that "it is time," pause, "that we had a President," pause, "who will work with harmony with Congress."

This theme itself requires a pause—a pause perhaps less for effect than for deeper analysis.

In a short but eloquent essay on this theme, the Washington Star's columnist Edwin M. Yoder points out that "harmony" such as President Johnson found when he sought support on the Gulf of Tonkin—to pick one example—is not quite what Mr. Carter may intend for the people to remember.

I commend the Yoder column because it bears rereading:

[From the Washington Star, Aug. 26, 1976]

A CARTER THEME THAT NEEDS RE-THINKING

(By Edwin M. Yoder, Jr.)

When clearer words fail, the political correspondents call Gov. Jimmy Carter a "populist" or "neo-populist." They seem to mean a politician who extols the unfiltered wisdom of the "average man." The Average Man, that paragon of judgment, turned up several times in the governor's Los Angeles speech this week.

"We have seen a wall go up," Mr. Carter had said in his New York acceptance speech, "which separates us from our own government. . . . Each time our nation has made a serious mistake, the American people have been excluded from the process." This is indeed the populist theme pure and simple—very simple. Government goes awry only when it ignores or thwarts popular wisdom; its errors are an imposition on an innocent and infallible public.

Governor Carter's populist theme isn't going to cost him votes. People don't vote no to flattery. But there is a certain mindlessness in this theme that could become tiresome. In Los Angeles, again, Mr. Carter said "there is something seriously wrong when the members of Congress, all of whom were elected by the people, repeatedly passed legislation the country needs, only to have it vetoed by an appointed President." Mr. Ford has vetoed too many bills, he said, more than 50 in all.

Politically, the gravity of the charge would depend on a piece-by-piece analysis of the bills vetoed, which was not supplied. Institutionally, the charge comes near being vacuous.

There is a dirty little secret about American government that seems to have escaped Governor Carter's consideration. American government functions in this wicked way by the design of the founders, who with topheavy congressional majorities in mind loaded the Constitution with every conceivable device of dilution, delay and dilatoriness. Theoretical democrats, they made the people sovereign; but they shrank from equating the instant judgment of any temporary majority with wisdom.

Alexander Hamilton's defense of the presidential veto, which appeared in one of the "Federalist Papers" in March, 1788, speaks to the point:

"It may perhaps be said that the power of preventing bad laws includes that of preventing good ones. But this objection will have little weight with those who can properly estimate the mischief of that inconstancy and mutability in the laws which form the greatest blemish in the character and genius of our governments. . . . The injury which may possibly be done by defeating a few good laws will be amply compensated by the advantage of preventing a number of bad ones."

On yet another score Mr. Carter's charge falters. If President Ford, an "appointed President," lacks a national elective mandate, so does Congress. Governor Carter may be impressed by the congressional tendency to put national interest ahead of regional and parochial interest. But that tendency has eluded most observers of its recent labors on energy legislation—and much besides.

Strictly speaking, President Ford is no more an "appointed President" than were Lyndon Johnson and Harry Truman and by some relevant considerations less so. After all, a Democratic Congress weighed and approved his elevation to the vice presidency, even with good reason to suspect that Mr. Nixon's days were numbered. By contrast, no congressional hearings attended the "appointment" of other vice presidents who assumed the presidency. On the face of the matter, it can be argued that Mr. Ford was for better or worse the most carefully scrutinized "appointed President" we have had in this century. Perhaps Governor Carter's real quarrel is with Congress, or with the 25th Amendment.

The point of all this is not to quarrel with Mr. Carter's assault on the "negativism" and "dormancy" of Mr. Ford's presidency. It is only to say that the proposition calls for deeper analysis.

"It is time," proclaimed Mr. Carter in Los Angeles, "that we had a President . . . who will work with harmony with Congress for a change." Maybe so. But as Mr. Madison and Company foresaw, the dangers of mindless "harmony" between the President and Congress sometimes exceed the dangers of mindless conflict. Has Mr. Carter forgotten that the Gulf of Tonkin Resolution passed Congress with only two dissenting votes? Oh, for a bit of "dormancy" then!

ELECTRIC DEMAND INCREASING SHARPLY

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. McCORMACK. Mr. Speaker, as we continue to try to forge a rational energy policy for this Nation, we too often hear arguments relating to an isolated aspect of our energy situation which fail to make sense in the context of the total energy picture. The costs and benefits of any single energy source can be rationally evaluated only by taking into account the availability and desirability of other energy sources, rational projections of energy demand, conservation opportunities, and the consequences of failure to meet the demand.

A refreshingly comprehensive article by Hal Lancaster, which appeared in the Wall Street Journal, describes the dilemma in which the utilities find themselves as demand for electricity continues to increase while the cost and difficulty of adding all types of generating capacity continues to increase.

His description of the problems of diminishing gas supply, expensive oil, unresolved problems of air pollution and strip mining associated with coal plants, and the snarls of redtape and long lead times impeding the use of nuclear power, offer a valuable insight into the situation we face.

The article follows:

WORRIED UTILITIES: ELECTRICITY USE BEGINS TO TOP FORECASTS, STIRS FEAR OF LAG IN CAPACITY—PICKUP IN INDUSTRIAL DEMAND CHILLS HOPE FOR CUTBACKS IN POWER PLANT SPENDING

(By Hal Lancaster)

A year or so ago, the nation's problem-plagued electric utilities thought they saw a glimmer of hope.

They projected a slackening in the growth of demand for power as huge rate increases, forced by a surge in fuel prices and other costs, spurred conservation of electricity. They expected demand to be moderated further by slower population growth. And thus they hoped to be able to cut back costly projects to add generating capacity.

But the hope may be fading.

The utilities are beginning to see indications that demand may exceed the sharply reduced forecasts made in the wake of the Arab oil embargo. A resurgence of demand, if continued, would have serious import for utilities and power buyers.

Utilities could face unexpected strains on their capacity. And higher-than-anticipated demand would aggravate their other problems: uncertain fuel supplies, huge increases in plant costs, environmental opposition, tangles of regulatory red tape, and diminished financing capacity.

Power buyers could face blackouts and brownouts in some areas. Some pessimistic observers already are predicting industrial production cutbacks, lost jobs and occasionally juiceless households.

ENERGY MALNUTRITION

"We've already cast the die for trouble. We are headed for energy malnutrition," says Chauncey Starr, president of the industry-supported Electric Power Research Institute.

Environmentalists battling big generating projects argue that the power companies are crying wolf. But evidence that lower growth in demand is far from a certainty keeps trickling in.

Figures from the Edison Electric Institute, another industry group, show the trend. Following 1973's 6.8% raise in total electricity consumption—for many years, a typical gain—growth collapsed to zero in 1974 in the wake of the oil embargo and was only 2.2% in 1975. But last year was deceptive; a sizable decline in use by industry, which generally was operating far below capacity because of the recession, masked a substantial rise in residential and commercial use. Clearly, families and shopkeepers had become accustomed to the higher electricity rates and weren't switching off the lights as much as expected.

Now, with the economy recovering, industrial use is no longer declining. Total consumption in the first 32 weeks of the year has grown 5.2%, and the growth rate is "moving upward," an Edison institute spokesman says. The institute expects growth to reach 6% for the whole years.

UNEVEN IMPACT

Although all utilities would be affected by an unexpected surge in demand, some companies and areas would be particularly troubled. One such area is the Southwest, where the power industry is having its more spectacular conflicts with environmentalists and where utilities already are straining to cope, with a boom in population.

Utilities in those six states—California, Arizona, New Mexico, Utah, Nevada and Colorado—haven't ignored the fact that the area's population gain, at 8.2% since 1970, has far exceeded the 4.8% national average. They have projected power growth rates higher than most utilities'. But within the past year or so they, too, have lowered their projections on the assumption that energy conservation was here to stay. Now some of those reduced projections are being overrun.

Southern California Edison Co., for example, originally predicted a power consumption growth rate of 6% a year for the next few years, and gradually lowered it to 4.1%. But the company, one of the nation's biggest utilities, has chalked up actual growth of 5% through July, and demand is still picking up.

Even utilities managing to stay within lowered forecasts now discern the beginnings of a surge in demand. An unusually mild winter kept power consumption in bounds at both Arizona Public Service Co. and Public Service Co. of Colorado through May. But Arizona PS had 13% increases in June and July from a year earlier and the Colorado utility about 8%; both rates topped forecasts.

LITTLE LEEWAY

However, utilities in the Southwest and elsewhere have little reason to be seriously concerned about consumption just yet; it will take much longer to see whether the preliminary indications become a long-term trend. But if they do, power companies will have to try to meet the extra demand at a time when their options are severely restricted.

Even now, fuel supplies are a major problem. Experts agree that supplies of natural gas, the cleanest source of boiler fuel, are in an irreversible slide. Most utilities already have had to stop using gas as boiler fuel except in emergencies, and some industrial users of gas are seeing their supplies interrupted more and more frequently so that residential and commercial customers can get enough. To save fuel, Arizona has banned all new gas hookups, and California is curtailing low-priority uses. Meanwhile, plans to import liquefied natural gas and to make gas from coal are still untested on a large scale and are certain to be costly.

With gas fading as a generating fuel, additional pressure will be put on nuclear, coal and oil suppliers. No one sees much help coming before the end of the century from so-called exotic sources such as geothermal energy, solar power and wind. "Anyone who says differently is perpetrating a fraud on the public," declares Mr. Starr of the Power Research Institute.

Nuclear power passed a severe test in June, when California voters defeated a proposal that utilities say would have throttled the use of nuclear energy in the state. To placate antinuclear sentiment, however, the legislature passed stringent safety bills that will increase lead times and costs of new plants. And 15 to 20 other states are preparing similar measures. But in any event, nuclear power isn't suitable for meeting unexpected demand quickly. Nuclear plants cost more than any other type, and red tape makes it

nearly impossible to get them from the proposal stage into operation in less than 10 years.

More oil is being burned by gas-short utilities. But oil, though currently in ample supply, involves the danger of another embargo since so much of it is imported. Also, air-quality standards in some areas practically rule out anything but low-sulphur oil, which is in hot demand world-wide and, at about $15 a barrel, is the most expensive of generating fuels.

Coal is relatively cheap and is abundant domestically, particularly in the West, and many utilities use it extensively. They plan to use more; an Arthur D. Little & Co. study indicates that power companies' appetite for coal will double by 1980 to 925 million tons a year.

But coal—even low-sulphur coal—raises many environmental problems. Needed reserves may not be developed, due to resistance to strip-mining projects and the possibility of tough federal restrictions on them. Coal shortages and higher prices are likely, Bruce Old, senior vice president of Arthur D. Little, says. And even if utilities get enough coal, they face increasing resistance to burning it; in a growing number of places, coal simply can't be burned at all, even with the latest antipollution equipment, because of tightening air-quality standards.

Utilities say a constricting net of environmental legislation and regulations also is stifling their plant-building plans. For example, preparation of environmental-impact statements alone can cost several million dollars and has added about two years to the "lead time" for major projects. Then still more time is consumed in negotiating with, and getting approvals from, a horde of other federal, state and local agencies.

COSTLY DELAYS

The delays have had a crushing impact. After seven years, Pacific Lighting still is trying to nail down the more than 100 regulatory approvals from 40 different agencies needed before it can build a big coal gasification plant in New Mexico. During the years of paper-shuffling, the plant's projected cost has risen from $600 million to $850 million; at that price. Pacific Lighting says, it must get federal loan guarantees, or financing can't be obtained and the project is dead; in addition, a utility group led by Southern California Edison has already given up on plans for a mammonth coal-fired plant in Utah; years of delay had pushed the costs out of sight.

Plant costs have soared also because of big wage settlements with construction unions and the extra expense of legally mandated safety and pollution-control gear. Southern California Edison's San Onofre Nuclear Unit No. 1 cost $215 per kilowatt of capacity in 1968; two additional units currently under construction will cost about $1,000 a kilowatt. In six years, prices of some coal-fired plants have tripled, mostly because of pollution-control equipment. Utah Power & Light Co. is spending $54 million to fit its Mountain No. 3 unit with a coal scrubber; that's $2 million more than the whole unit cost in 1971.

Such cost increases, along with projected declines in consumption growth rates, have led utilities to cut back or delay construction plans, even though right now they would have difficulty meeting a big surge in demand. Many plants originally scheduled to operate in the late 1970s won't open until the 1980–85 period, when the industry is expected to go on a spending spree—if it can get the money.

MONEY-RAISING PROBLEMS

Utilities' ability to attract capital at reasonable rates has been drastically reduced by the soaring costs. Rate-setting regulators, aghast at the huge rate increases the utilities were seeking, dug in their heels; in many states, rate hearings have dragged on for 18 months or more, and when finally granted the new rates (often far less than the companies had sought) already had been outstripped by inflation. The companies' short-term debt ballooned, their earnings suffered and their coverage of bonded debt shrank. Bond ratings fell, raising the cost of borrowing. Investors, noting the havoc, cooled on utility stocks, and share prices slumped. Many utilities were forced to sell common stock at bargain-basement rates.

Despite some recent recovery, the industry still has major financial woes. "We just finished selling stock at 53% of our book value," laments Charles Lenzie, vice president, finance, at Nevada Power Co. "We were dragged into it, kicking and screaming. But the banks get pretty exercised when you run your short-term debt up to $85 million." To raise money, San Diego Gas & Electric Co. recently sold and leased back its own headquarters building; its stockholders didn't want dilution of their equity through more stock sales.

There isn't any assurance utilities will be healthier four or five years from now, when they will have to build heavily. Meanwhile, they are trying to squeeze the most out of present plants with power pooling and experiments in trying to flatten peak usage (utilities' capacity must cover the peaks in daily or seasonal demand, not just average demand). Some are charging more for power during peak hours. But what really is needed, they insist, is quick rate relief and higher permissible rates of return on investments in new plants.

One possible solution is an indexing plan similar to New Mexico's, under which utility rates are raised or lowered quarterly in accordance with a formula based on all of a company's costs and the level of its earnings. In effect for a year, indexing has already saved Public Service Co. of New Mexico about $2 million in interest costs alone, Jerry Geist, president, says.

FIRST IN 1980 OLYMPICS

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. LaFALCE. Mr. Speaker, the meaning of the international Olympics can often be attributed to its symbolization of excellence and achievement. The teams with the greatest display at the Olympics command the respect and admiration of other competing countries—whether they be free nations or Third-World countries.

Although it may be infrequently verbalized, the implication is evident that the Olympics is a confrontation of not only athletes and nations, but also a contest of national beliefs and morals.

It is to America's distinct advantage at this point in time to cultivate greater national support for our Olympic athletes and to vigorously pursue a better Olympic victory record. With this might come the subtle triumph of the free democracy philosophy.

I think Michael Novak has said it succinctly in his recent article printed in the National Review:

If a free society could prevail against the totalitarian disciplines . . . the moral satisfaction for the rest of the world would be very great indeed. Power in our world is very much affected by symbolic status.

I have submitted Novak's comments here along with some of my own thoughts on the future of the Olympics in an accompanying article:

[From the National Review, Sept. 3, 1976]

WAR GAMES: FACTS AND COVERAGE

(By Michael Novak)

When sportswriters turn to political commentary—especially the more pretentious commentators—their minds turn sentimental in a new way. The old sportswriters were sentimental about petty things, like Babe Ruth, or the Dodgers, or dear old Alma Mater U. The new sportswriters are sentimental about weighty things, like world revolution, socialism, universalism, and eye-wetting "humanistic" values.

Thus, Dick Schaap took three minutes on NBC news to tell us that a brilliant Cuban runner, Alberto Juantorena, was running solely for the honor of a "poet and former baseball player," Fidel Castro, and for the Revolution—which is even more incredible than saying Joe Rudi and Rollie Fingers give their all for the love of Charlie Finley. Howard Cosell, too, only tells about half of it like it is, that half composed of shilling entertainment values—touting new favorites as Ed Sullivan used to tout new jugglers and rock stars. The comments from the press box are not investigative, calm, reportorial, full, accurate; they sell entertainment and the newest chic politics. Cosell couldn't even get the names of the opposition right: he resorted to calling them "the Bulgarian," "the Russian," "the Pole," while treating the Americans to lavish nicknames and lavish praise.

Marvin Kitman of Newsday voted "the stone medal" to ABC for its incompetent coverage of the Olympics. Most of Europe (I am told) saw eight or more hours of sports each day—and they saw sports. Most of what ABC showed us was Jim McKay talking endlessly, night club sports, romantic "Up Close and Personals" to shame Grantland Rice, and Jim McKay talking endlessly.

One lucky day, I had the chance to watch Canadian television. In 45 minutes of CBC I saw more athletic action than in any four hours of ABC. The CBC used tapes to show each attempt of the broad-jumpers—short cuts, each several seconds long, so that one could see the cumulative efforts in a single sequence. In this fashion, whole events can be summarized in a few minutes. The beauty of these deeds stays in the mind.

ABC has not yet discovered that what fans want to watch is sports, not the travelogues that corporations produce for high schools. Jim McKay seemed all agog that ABC could show us so many events live. Who cares? With tape, ABC could have multiplied the number of events we witnessed fivefold.

Soccer, which we missed, is the most popular planetary game. Field hockey and water polo would have been delights to see. Volleyball, fencing, shooting, archery—dozens of events were barely, if at all, scanned by ABC. The version of the Olympics shown in the United States was over-inflated, narrow, parochial, star-struck. When ABC's Keith Jackson twice informed the world that "our leader," Roone Arledge, had been a high-school wrestler, nausea rumbled in at least one disgusted stomach. A stone medal is too good.

THE ONE-WORLDERS OF SPORTS

Yet ABC's confusion of sports with "entertainment" is like that of Silver Screen, Screen Romances, or New York magazine. At the level of The New York Review of Books, the most commonly bruited ideas about the Olympics were also pretty silly. The idealists of the press would like to ban "nationalism" from the Games, and celebrate "individual excellence." James Tuite of The New York Times countered this trend effectively by pointing to the tears in the eyes of many

of the U.S. basketball players on the victory stand as the flags were raised and our National Anthem was played—and to the intense national pride exhibited at the boxing and swimming contests. Let's face it, he wrote, nationalism is the name of the game.

I happened to be at the Finn Fest in Michigan's Upper Peninsula when Lasse Viren won the 10,000 meters. To imagine that Finns, either Finnish-Americans or visitors, reacted to his victory as they would have to one by someone from any other nation is to misunderstand the nature of human beings. We are nearly as limited as plants—each of us rooted in the belly of a single woman, in a single family, a single village or city, region, and nation. No one of us speaks for the whole human race, for it is the nature of our race to be diversified by flesh, culture, and history. God made human diversity, Aquinas wrote, to mirror back God's infinity, each variation reflecting a different glory of the Infinite.

Theologically, our one-worlders are gnostics, thinking it a scandal that flesh, time, and history diversify us. The Christian "mystery" of the Incarnation, like the Jewish "mystery" of Jahweh's election of a single chosen people, flies in the face of gnosticism. Our flesh and finiteness are as integral to our identity as our "universal reason." One value of sports in our world is that they are by their nature a scandal to gnosticism. They are embodied.

They depend on a supporting political and economic system. Many of our commentators seem to think that communications, a shrinking world, and the Coca-Colanization and Pepsification of the planet tend to "unite" the human race. They miss the great fact of the last third of the twentieth century: modernization engenders, not unity, but intense feelings of identity, loyalty, and difference. Not only is Great Britain now more weakly Great, it is less and less a United Kingdom, the Scots and the Welsh feeling new impulses toward independence. "National Liberation" is proving to be a human tendency deeper than International Socialism. Homogenizing tendencies spread across the world's surface, but the deep dynamism of our times is differentiation, not conformity.

The very conception of the Olympics reflects a dual awareness of this truth. The Games are international and help to focus world attention on a shared set of symbols in one system of laws and rules. But the only source of energy, passion, interest, and (not incidentally) money capable of bringing off an international event of such magnitude is national loyalty—and, if not necessarily the nation-state, committees nationally organized for the Herculean task. Our gnostics may say that we should cheer excellence wherever it is found, and in part we do. But television's practices prove that at the same time we do not. Cameras follow national heroes. Intensity of feeling builds up around national rivalries.

SPORTS AS WAR

The Olympics without the intense feeling that marked the volleyball battle between the Poles and the Russians—a feeling that reaches back hundreds of years—would be flat, indeed. More than physical excellence is at stake; rootedness and spirit are at stake. The Olympics are what William James so earnestly sought everywhere except where it might be found: a moral equivalent of war. Great passions may here be purged. Even a single gold medal can enthrall a nation; virtually every nation wins (gold, silver, bronze) something. Even a nation of 17 million like East Germany, which is smaller in population than California, can become a superpower if it has the native culture to support the required disciplines.

Put the two halves of Germany together—East Germany with ninety medals and West Germany with 39—and one seems to get in the Olympic Games a fair enough sense of the distribution of moral, cultural, and political power in the present world: Germany 129, USSR 125, U.S.A. 94. One realizes why Germany was kept divided.

The incredible performance of the Eastern bloc tells us something very important about psychic power in our world. Combined, the athletes of the USSR, East Germany, Poland, Yugoslavia; Rumania, Czechoslovakia, Hungary, and Bulgaria won 328 medals out of a possible 615. When Moscow's Literary Gazette intones that "The Olympic Games are not just a major sports festival but are one of the fronts of fierce struggle between the supporters and opponents" of the way Communists view the world, we get the message. On this front, they are demonstrably superior.

And what is this front? It is not mere excellence. It is not mere "sport." It is assuredly not entertainment. It is not even a moneymaker; on the contrary, its financial costs are very high. It is deadly serious discipline, dedication, morale, work, organized effort, and individual sacrifice—in order to prevail. It is a kind of war. Socialism is not only physically obtrusive in the Olympic Games; it prevails.

Bill Dwyre of the Milwaukee Journal tried to show in an intelligent column that American sportswriters were confusing politics with sports, especially in the case of the East German women, who thrashed the U.S. women. He doesn't like the "win-at-all-costs sentiment that prevails in most sports circles in the U.S." Let East Germany, or all the Communist countries, he argues, consider it a high-priority item to win Olympic medals. Let them pursue that goal and choose their lifestyle accordingly. We should not.

WIN AT WHICH COSTS?

Shouldn't we? That depends. "Win-at-all-costs" is a weasel word. Which costs? Surely, there are many costs that a free people can willingly sustain in order to reach certain goals, goals themselves morally neutral or good. Surely, too, a free nation can so organize itself, not only freely but nongovernmentally, to attain such goals. There is no reason why free societies cannot prevail in fair competition.

If a free society could prevail against the totalitarian disciplines of athletes singlemindedly dedicated to proving the superiority of their regimen, the moral satisfactions for the rest of the world would be very great indeed. Power in our world is very much affected by symbolic status.

Sports transcend both entertainment and business. They also transcend politics. Losing a basketball game is not at all like losing a tank battle (as the Czechs and Slovaks lost one in 1968); being inferior in swimming is not at all like being inferior in political independence. Besides, to participate at all is to accept international rules that, in principle, transcend political interests. But if we are to "tell it like it is," we have to say that the left-wing critics of sports in America are right about the politicization of sports, but wrong about the central source of the politicization. The Eastern bloc does regard sports as one front in a political battle that they wage on every front—in literature, in science, in religion, as well as in sports. We have two choices: Pretend differently. Or accept their challenge.

Were we to accept the challenge and win, then we could say that sports transcend politics. Then we could say that just because we prevail at the Olympics, we do not believe that athletic pre-eminence is the be-all and end-all of a free society. As winners, we could say our piece and even speak convincingly of love. As losers, now, we sting like a butterfly.

Perhaps my competitive instincts are overdeveloped (perhaps it is merely an East European seriousness about such things); but I would prefer to win before I tried to make my moral points. I would like to see the U.S. go to Moscow in 1980 and come home with the highest point total of any nation in the world. If the Eastern bloc wants a fight, let's stick it to them right in Moscow. Frank Merriwell would have done no less. What cheers would echo through the world, even to the farthest cell of the Gulag Archipelago!

[News from Congressman John J. LaFalce]

THE FUTURE OF THE OLYMPICS

The thousands of Americans who attended the Olympic Games in Montreal, and the millions who watched them on TV, swelled with pride when the swimmers and boxers from the U.S. gave such creditable performances. We shared an inner glow when the two 400 meter hurdlers—one black and one white—embraced after their thrilling one/two finish in that race.

Our athletes performed ably, from the first victory by John Naber in the swimming events to the brilliant record performance by Bruce Jenner in the decathlon. And they did what they did under a severe handicap—lack of total support by the American people.

For while we watched a lot of victories and medal-winning performances by the Americans, the overall standing of the U.S. team was third, behind both the Soviet Union and East Germany. That country is smaller in population than New York State, yet it spends $50 million a year on its sports development programs.

In 1980 the Olympics will be held in Moscow. I think that the U.S. should make it a national goal to regain its supremacy in sports by that time. Jesse Owens reminded Hitler about the strength of Americans and our society in Berlin in 1936; what could be more fitting than to duplicate that demonstration in Moscow four years from now?

A number of ideas have been presented to beef up our support for the Olympics. I believe that now is the time to look into this issue in depth and come up with one or more ways to help our athletes. In this column I will review some of the suggestions which have been put forth, but I also want to ask all of my readers to forward any ideas they might have on this subject as well.

GOVERNMENT FINANCING

East Germany is far from alone in subsidizing its sports programs, although on a per capita basis it may be into this area more heavily than most other countries. A great many nations subsidize, in whole or in part, their athletes and the development programs which produce them. I don't think, frankly, that we should emulate this approach, although there are some limited areas where I do think government involvement might be justified.

VOLUNTARY SUPPORT FROM PRIVATE ENTERPRISE

In its "wrap-up" coverage of the Olympics, the American Broadcasting Company made a big point of plugging for America's free enterprise system to rise to the occasion and support Olympic athletes by giving them jobs which permit them to train, etc. I hope that ABC puts its money where its mouth is and does just that, as an example to other private firms. And I would like to see this idea catch on in a big way, for I agree that this is the kind of support which our society ought to provide. It's not a proposed feather-bedding scheme, but rather an idea which calls on private firms to do what they're best at doing—devising innovative and flexible solutions to difficult problems.

REORGANIZATION OF THE AMATEUR ATHLETIC SUPPORT STRUCTURE

The President's Commission on Olympic Sports, in a preliminary report in February

of 1976, recommended that an initial step toward providing better support for our Olympic effort should be to reform the organizational structure governing amateur athletics in the U.S. They called for establishment of a "highest sports authority" to coordinate policies, programs, and other aspects of this issue and eliminate the present chaos and confusion. The Commission went on to tell the President that it is studying details of this proposal as well as fiscal and other problems.

I think the call for re-organization of our amateur athletic system is long overdue, and I support it heartily.

SOME POSSIBLE CONGRESSIONAL ACTIONS

Congress may be asked to act in this situation. One idea has already been circulated by one of my colleagues—a proposal to permit a $1 check-off, like the presidential campaign financing check-off—on an individual's tax return. I don't favor this approach, but we certainly should begin to consider some forms of limited government support for some aspects of our athletic program.

Whatever comes before us, I hope it will be soon and that it can contribute to a first place finish in Moscow. We should try for nothing less.

OUTLAWING ARAB BOYCOTTS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. GILMAN. Mr. Speaker, this week the House International Relations Committee, of which I am a member, marked up legislation to extend the Export Administration Act. One of the most important amendments to be considered deals with the prohibition of compliance by the U.S. firms with the Arab boycott against Israel.

In June of this year, I testified before the International Relations Committee on the subject of foreign trade boycotts, and on that occasion, I pointed out that although present U.S. policy states its opposition to such restrictive trade policies and boycotts, the very fact that they continue to occur demonstrates the need for more stringent Federal laws. We need not only to discourage such practices but we should also prohibit them. The appropriate vehicle to effectuate this change is the Export Administration Act.

I have cosponsored several pieces of legislation to end these discriminatory practices of foreign trade boycotts and I am currently a cosponsor of the prohibiting amendment now before the committee.

I would like to urge not only the members of the House International Relations Committee but all of my colleagues to join in supporting this legislation. The full text of my testimony before the House International Relations Committee follows:

STATEMENT OF HON. BENJAMIN A. GILMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, JUNE 1976

Mr. Chairman: I welcome this opportunity to appear before the Committee on International Relations to express my strong support for proposed legislation to end the discriminatory practices of foreign trade boycotts.

The implementation of economic boycotts against the State of Israel for political purposes has been a common practice among the Arab states for more than 25 years. Generally, these efforts have been met with little opposition due to their lack of enforcement and success. However, with the imposition of the oil embargo, new strength and life was added to these efforts. The shocking results of these new efforts have revealed broad scale cooperation by American business to the threats and demands of one nation against another.

The Arab embargo against Israel is not the center of this controversy. The right of one nation to refuse direct interaction with another is not a question. What is at stake is the extension of this embargo to U.S. firms in an attempt to prevent them from trading with Israel. This type of boycott extends far beyond any recognized right of one nation to prevent trade with its enemies.

This form of economic blackmail must not be allowed to continue. Even the slightest forms of cooperation encourage more and more demands that extend far beyond economic matters and take aim at U.S. foreign policy. This not so subtle attack which pits one American against another because of his racial, ethnic or religious background must be stopped.

As a recent editorial in the Charlotte Observer points out, the issue of Arab boycotts is much greater than the struggle of one nation against another.

"The larger question, however is one of morality. The Arab boycott and blacklisting of firms has been aimed not only at Israel but also against American Jews. If an Arab nation wants to do business with an American firm, it can abide by this country's rules of decency and fair play—or go elsewhere. We doubt that those countries, which are being developed largely by American enterprise, would go elsewhere."

The United States as a nation must take a stand on this issue. We must not allow foreign governments to manipulate the internal affairs of this country. We must remove the pressures that are brought to bear on individual companies to comply or face the repercussions of discrimination. The solution to this problem, as the Observer's editorial states, is: "the best way to counter the Arab governments' pressures is to have a law on the books which requires them not to yield. Then they could simply tell Arab governments: We have no choice but to comply with the American law."

We can and should prevent boycott compliance and the appropriate vehicle is now before us, the Export Administration Act.

While the present U.S. policy states clearly its opposition to such restrictive trade policies and boycotts, the fact that these practices do occur demonstrates the need for stronger federal laws. The policy statements in the current Export Administration Act are commendable but ineffective. We need not only to discourage such practices, but to prohibit them. I urge the adoption of amendments to outlaw the disclosure of discriminatory information and participation in the restrictive trade practices of foreign nations including both secondary and tertiary boycotts.

Currently, there are several pieces of legislation before this committee aimed at the heart of this problem. I am a co-sponsor of H. Con. Res. 173, offered by Congressman Addabbo, H.R. 6431 offered by Congressman Drinan and H.R. 11463 offered by Congressman Koch. In addition Congressmen Bingham and Rosenthal have both offered constructive proposals that deserve your consideration and support.

As we proceed to consider the Export Administration Act, I am convinced that from these proposals and the committee deliberations that will follow, an effective policy against the discriminatory practices of boycotts can be achieved. It is only fitting that in this bicentennial year, as we reflect on the founding principles of this great nation that we apply those same concepts of freedom from repression, non-discrimination and rights of religious tolerance to the conduct of commerce.

Accordingly, I urge my colleagues on this committee to support the concepts contained in the anti-boycott proposals before you in order to end the divisive effects of these discriminatory acts.

Mr. Chairman, I request permission to insert, in full, at this point in the record, the Charlotte Observer Editorial dated June 14th, 1976, entitled "Arab Intrusion".

[Editorial From the Charlotte Observer, June 14, 1976]

ARAB INTRUSION—JONES' ADVICE IS WRONG

Neither common decency nor the best interests of the United States are served by the practices acknowledged by Edwin L. Jones Jr. of Charlotte in his testimony Thursday to a House committee. Mr. Jones, president of J.A. Jones Construction Co., said his company in some instances has gone along with demands by Arab countries to boycott Israel.

Why? Not to create jobs for Americans, but to make money. The company does a substantial business in Saudi Arabia.

Mr. Jones' testimony showed that while the company is responsive to the Arab countries' foreign policy requirements it is ignoring American policy. We think the company has no business acting, for whatever reason, in a matter that is against the policy of the United States.

Arab pressures of various kinds have been brought to bear upon American companies. Many firms have been blacklisted because they had Jewish ownership or high-level Jewish executives; some of the biggest corporations in America have been blacklisted for other reasons, chief among which, apparently, is that they do business with Israel.

In other words, some of the Arab countries not only have told American companies they cannot do business with both Israel and Arab nations; they also have brought subtle pressures to bear which might persuade some companies to violate American law by discriminatory practices within. Congress has declared the first part of this to be against American policy; the second part is against the law.

As we said some time ago, this is a reprehensible and unacceptable intrusion in American affairs. No American company should accept such interference.

In his testimony before the House International Relations Committee, Mr. Jones not only acknowledged that his company has yielded to the boycott-Israel pressure but also urged Congress not to enact proposed legislation which would make this a punishable violation of law rather than simply an expression of disregard for American policy.

He should have been on the opposite side, as are many American business executives. They know that the best way to counter the Arab government's pressures is to have a law on the books which requires them not to yield. Then they could simply tell Arab governments: We have no choice but to comply with American law.

Would that put them out of business in the Arab world? It is conceivable, though unlikely, that in a few cases it would. But it is virtually inconceivable that those developing countries would choose to do without American technology, American scientific development and American management know-how. Such a law, in our view, overnight would break the back of this impudent intrusion in American life.

The larger question, however, is one of morality. The Arab boycott and blacklisting of firms has been aimed not only at Israel but also against American Jews. If an Arab nation wants to do business with an American firm, it can abide by this country's rules

of decency and fair play—or go elsewhere. We doubt that those countries, which are being developed largely by American enterprise would go elsewhere.

Congress should make American policy—not a bunch of oil kings and sheiks.

TROTSKYISM AND TERRORISM: PART V—TERRORIST ACTIVITIES IN EUROPE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. McDONALD. Mr. Speaker, the Trotskyite Communist Fourth International not only has been vociferously supporting terrorist activities—bombings, kidnappings, assassinations, and armed robberies, "expropriations" as the revolutionaries term them—by non-Trosky-ite revolutionaries and nationalist groups, but also has conducted terrorist activities itself.

FRANCE

During the 1960's, the French section of the Fourth International led by Pierre Frank was able to recruit some of the violence-oriented New Left. These New Leftists recruited by Frank, were similar in their outlook and desire for street violence to the SDS Weatherman faction which led major street riots in New York, Berkeley, Boston, and Chicago during 1969 and 1970 before disappearing underground.

In April 1966, a New Left segment split away from the Communist Party controlled Union Estudiants Communistes de France and declared itself Trotskyist. It affiliated with Pierre Frank's Fourth International section which was then called the Parti Communiste Internationaliste. The youth group, led by Alain Krivine, was then called the Jeunesse Communiste Revolutionnaire and expressed its strong admiration for Castro and Che Guevara.

For their prominent role in leading the student and worker riots which nearly precipitated a civil war, in April 1968, the French Government outlawed the Trotskyite group. However, the Trotskyites merely changed the names of their organizations and continued to function. The Jeunesse Communiste Revolutionnaire became the Cercles Rouge—Red Circle—then changed its name to Ligue Communiste. For its involvement, in continuing violence the Ligue was dissolved again in June 1973, by the French Government. However, the Ligue merely changed its name again to Front Communiste Revolutionnaire, LCR. LCR's top leaders include the aging Pierre Frank, Gerard Vergeat, Alain Krivine, Charles Micheloux, and Daniel Bensaid.[1]

The involvement of the French Trotskyites in terrorism was revealed by SWP Political and National Committee member, Mary-Alice Waters, alias Therese, who is one of the SWP members on the Fourth International United Secretariat. On behalf of her minority faction, Waters submitted a report attacking the "terrorism now" position of the Fourth International majority to the December 2–6, 1972, United Secretariat meeting.

Incidentally at the opening of her report Waters listed "six comrades who are members of the United Secretariat—Adair, Hans, Juan, Pedro, Stateman, and Therese."[2] Comparison with other internal Fourth International documents indicates that Adair is the Canadian Alan Harris who was sent by the Fourth International to Great Britain to help lead the British section; Hans is an alias for SWP National Secretary, Jack Barnes; Juan was Joseph Hansen; Pedro is Peter Camejo and Statemen is apparently Barry Sheppard.

The Waters report which was of course rejected by the majority attacked "violent minority actions":

She wrote:

Let us turn now to one of the most important questions being debated in the European movement—a question so vital that it can prove fateful for our sections in the immediate future. The issue is what several comrades of the Ligue Communiste refer to as the need for "a deliberate somewhat voluntaristic initiative by the vanguard" to reintroduce "violence" into the class struggle. [See Appendix, "The Debate in the Ligue Communiste."]

This idea is not developed clearly in the European document, but the essence is included in Section 19, which states: "The spirit in which our sections will have to educate the entire mass vanguard moreover, is this: to show the bourgeoisie *in practice* that the price it will have to pay for any attempt to establish an open dictatorship will be a civil war in which both camps will use *arms*." (p. 25. Emphasis added.)

One interpretation of this line has already been initiated in France to a sufficient degree to indicate what it entails.

The May 13, 1972, issue of *Rouge*, the official paper of the French section of the Fouth International, prominently featured a "last minute" news bulletin that announced:

"In response to the intensification of imperialist aggression in Indochina, on Wednesday, May 10, at 6:30 a.m. revolutionary militants attacked the offices of Honeywell-Bull and the machine display at the Trade Center. Molotov cocktails were thrown and the machines were seriously damaged. Simultaneously, a similar action took place against the Toulouse headquarters of Honeywell-Bull.

"The Ligue Communiste supports and salutes the revolutionary militants who have thus demonstrated their determination not to let the new arrogance of imperialism go unanswered. By these acts they have denounced the war profiteers who furnish the matériel for imperialist aggression. And they have demonstrated their solidarity with the Indochinese people—at the very moment when the French government was trying vainly to ban the mass demonstrations that took place Wednesday night."

On September 2, 1972, *Rouge* carried another special article, which approvingly reproduced the press release issued by a commando squad that firebombed the Argentine embassy in Paris, following the murder of the Argentine comrades in Trelew. As *Rouge* reported it:

"In France in the dawn hours of August 25 revolutionary Marxist militants attacked the Argentine embassy with Molotov cocktails. The following communique was issued by these revolutionists shortly after their actions:

" 'Today revolutionary Marxist militants attacked the Argentine embassy in Paris. This symbolic action is part of the worldwide wave of protest developing in the wake of the savage murder of sixteen unarmed Argentine revolutionists by the mercenaries of Lanusse. On the defensive today politically, the imperialists and their watchdogs are escalating their extortions and crimes in Latin America and throughout the world.

" 'They will not go unpunished because the day is near when the Argentine and Latin American masses, mobilized by their vanguard on the road of revolutionary war, will sound the death knell of the murderers' system and make them pay the full retribution for their accumulated debt of blood.

" 'Long live the Argentine socialist revolution.

" 'Long live the Latin American revolution.

" 'Hasta la victoria siempre. Venceremos.

" 'Cuarta Internacional' "

The signature of the communique falsely gave the impression that this was an action approved by the Fourth International and carried out by its forces.

"Cuarta Internacional" is of course Fourth International. Despite Water's denial of responsibility, Pierre Frank, a leader of both the French section and the International took full responsibility for the terrorist acts.

Waters went on to say,

The rationale for such actions has been explained at length in a number of articles in *Rouge*.

For example, the June 10, 1972, issue carried an article entitled "Terrorism and Revolution" by Daniel Bensaid, a member of the Political Bureau of the Ligue. He states:

"As far as we're concerned, we have not hesitated to resort to violent minority actions when the actions were tied up with mass activity. In December 1970, at the time of the Burgos verdict, the Ligue Communiste supported the attack of a group of militants against the Bank of Spain, but that was parallel with leading the mass campaign on behalf of the Basques threatened with death. We also led actions against General Ky when he visited Paris, against the U.S. consulate, an action that led to the indictment of Alain Krivine, and we supported the action led by militants against the firms profiting from the U.S. war. But this was parallel with systematic mass work on behalf of the Indochinese revolution, within the framework of the FSI [Front Solidarite Indochine—Indochina Solidarity Front] in particular."

Such actions, we are told, have a basis in theory—the theory of the "dialectics of mass violence and minority violence." According to this "theory," violent actions organized by a small group can show the way, stimulate actions by the masses of workers through raising their combativity, and prove to the workers that they can and should use violence on a mass scale.

For example the June 10 article takes up the question of kidnapping factory owners or supervisors. "It is clear that the occupation of a factory that mobilizes a mass of workers to control the means of production and eventually passes over to active administration has a far greater significance than the kidnapping of a supervisor or a boss . . . But if the kidnapping expresses a genuine anger, if it is not presented as an end in itself, a pure revolt, but rather as a means of breaking up a passivity and resignation of the masses by beginning to overthrow its hierarchical idols, then kidnapping can be a correct initiative the workers ought to defend and even in certain cases promote."

Waters argued, however, that Trotskyites should engage violence at the proper time:

Footnotes at end of article.

The Leninist method of educating the working masses in effective anticapitalist action is not through the exemplary action of small, clandestine groups, violent or otherwise. It is by organizing and leading the masses in struggle to achieve their demands. As those struggles unfold, the masses themselves come to understand the need to defend their interests against the violence of the rulers. As that point approaches, we help the masses to organize their defense of their struggles.

As in every other aspect of the struggles of the masses, we play a vanguard role. We take the initiative within the masses on such questions as the formation of strike pickets and workers militias or, in certain situations, guerrilla units to defend the mass struggles of the peasants. We take these initiatives as members of the mass organizations, and in the name of the mass organizations, even if initially few besides ourselves are involved. The course followed by Hugo Blanco in Peru and the course followed by the Trotskyist leaders of the 1934 teamsters strike in Minneapolis offer instructive examples.[3]

Pierre Frank answered:

The use of force is not in itself terrorism and it is necessary to take care not to use the critiques made in our classics, for example against the Narodniks, incorrectly. Let's listen to what Trotsky himself said:

"It must be said that the Narodnik terrorists took their own words very seriously: bomb in hand they sacrificed their lives. We argued with them: 'under certain circumstances a bomb is an excellent thing but we should first clarify our minds.'" (P. 79, In Defense of Marxism.)

Under certain circumstances a bomb is an excellent thing! Under certain circumstances, Trotsky, according to Comrade Mary-Alice, fell prey to adventurism and terrorism.

The article in question denounces two "adventurist" actions, the one against the Argentine Embassy and the one against Honeywell-Bull. They were "in no way related to the needs of the masses or of any section of the masses." (P. 25)

In our opinion, the crime of Trelew required an immediate response and, as everyone knows, one cannot always summon up mass demonstrations. Thus the question of a vigorous action was posed, and we were of the opinion that the Trelew crime required more than a telegram or a customary gesture. But in the question of Honeywell-Bull, one finds a problem posed that Comrade Mary-Alice didn't seem to suspect. Why did revolutionary militants attack this American firm if not because it made material used against the Vietnamese revolution? We are for the defense and victory of that revolution, of the workers state of Vietnam. On this question we are not just for mass actions but also for the sabotage of the capitalist troops and of their armament: "The Fourth International has established firmly that in all imperialist countries, independent of the fact as to whether they are in alliance with the USSR or in a camp hostile to it, the proletarian parties during the war must develop the class struggle with the purpose of seizing power. At the same time the proletariat of the imperialist countries must not lose sight of the interests of the USSR's defense (or of that of colonial revolutions) and in case of real necessity must resort to the most decisive action, for instance, strikes, acts of sabotage, etc." (P. 30, *In Defense of Marxism.*)

The action against Honeywell-Bull, symbolic as it had been, fell into this category. It was "related to the needs" of the Vietnamese masses, and one can simply regret that there weren't more of them and more vigorous ones.

In peremptorily asserting that minority violence and mass violence cannot be complementary, that they are politically contradictory, Comrade Mary-Alice rejects en toto all the actions taken on by the Ligue Communiste that had a minority character. But the Ligue concretely showed the contrary within the framework of solidarity actions toward the Indochinese revolution. On the day after the presidential "elections" in Saigon, the Ligue clandestinely organized a demonstration of 400 militants in front of the American consulate in Paris. This demonstration, like the others (against the South Vietnamese consulate in Paris, Honeywell-Bull . . .) politically prepared the January 20, 1973, demonstration, in the course of which 15,000 demonstrators violently confronted the police in order to make their way to the American Embassy. That demonstration even had an echo in the ranks of the French CP. It represented a step forward in the anti-imperialist mobilization. It would have been much more difficult to carry out if it hadn't been prepared by the Ligue.[4]

Ernest Mandel, writing under his pseudonym Ernest Germain, answered the charge that the French section wanted the terrorist violence to escalate into guerrilla warfare. Mandel wrote:

We repeat: what we threaten the fascists with is not "guerrilla war," but civil war of the Spanish type, which, let us repeat again, was started by relatively limited vanguard forces.[5]

FOOTNOTES

[1] Trotskyite Terrorist International.

[2] Internal Information Bulletin, January, 1972, No. 1 in 1972.

[3] Ibid.

[4] International Internal Discussion Bulletin, Volume X, No. 14, August, 1973.

[5] International Internal Discussion Bulletin, No. 4, April, 1973.

TESTIMONY OF COMMISSIONER THOMAS K. STANDISH, CONNECTICUT PUBLIC UTILITIES CONTROL AUTHORITY, ON ELECTRIC UTILITY REGULATORY REFORM

HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. DODD. Mr. Speaker, at hearings before the Senate Committee on Commerce, testimony was presented by Commissioner Thomas K. Standish, of the Public Utilities Control Authority in my State of Connecticut, on the subject of legislation to reform electric rate regulation by the Federal Power Commission and by State regulatory bodies.

Commissioner Standish presents a clear and straightforward picture of the complex issues involved in electric rate regulatory reform; this issue is one which has long been a concern to me, and I know, to many of my colleagues.

Legislation to reform the electric rate regulatory process is pending further action by both bodies of Congress, and is expected to come to the floor before the close of this session. In light of the importance of this legislation, I know we will all want to be fully informed when it comes before us for consideration. I therefore include the following excerpts from the commissioner's testimony in the RECORD, and I commend them to the attention of my colleagues:

[Testimony of Commissioner Thomas K. Standish Before the Committee on Commerce, U.S. Senate, April 27, 1976]

NEED FOR ENERGY CONSERVATION PROGRAMS AT THE FEDERAL LEVEL

CONSIDERABLE POTENTIAL EXISTS FOR ENERGY SAVINGS THROUGH THE CONSERVATION OF ELECTRICITY

Because of the dramatic changes which have taken place in the supply of energy within the last three years, there presently exists considerable potential for a shift to a reduced dependence upon electric energy per unit of goods and services consumption by the household, government, and business sectors of the economy. This is not to say that total electric consumption by these sectors will not increase as output and consumption expands in the future, but significant adjustments have yet to take place in the economy to adapt to the reality of higher energy costs.

ADAPTATION TO NEW ELECTRICITY PRICES WILL BE SLOW

Even though the price of electric power has increased by a multiple factor over the last three years, we can expect that economic adjustments to the new prices will be slow. This is because, unlike most purchases, the consumption of electricity is indirect. A durable piece of equipment is required as the vehicle through which electricity is consumed.

When a business, household or government consumer considers the alternatives available to utilize his dollar income on the purchase of electricity-using equipment, the consumer must include in the calculation the future stream of costs for repair, maintenance and certain imputs to the long-term utilization of the equipment. Often these future costs are larger in total than the cost of the equipment at time of purchase. Absent evidence to the contrary, consumers generally assume that present prices of repair, maintenance and inputs (e.g. electricity) are a reasonable guide to prices which will prevail over the lifetime of producer or consumer equipment.

Stocks of electricity-using equipment existing in the economy today were purchased at a time when electric energy costs were relatively low and the design of these stocks reflects past input costs. At today's electricity costs this equipment is wasteful. The problem is, however, that because of the inability to rapidly shift to equipment which is less electric-energy intensive, consumers are forced to use electricity at or near rates of consumption (per unit of output) which prevailed prior to the energy crisis. The shift to less wasteful patterns will result as consumers (1) make investments in retrofit modifications of existing equipment (insulation, motor rewiring and the like) (2) make investments in new equipment which has been designed to adapt to present electric prices, and (3) as producers make available durable equipment which has energy saving technology embodied in it.

IF LEFT ALONE, PRICE MECHANISM WILL EVENTUALLY PRODUCE A ONCE-OVER SHIFT TO ELIMINATE ECONOMIC WASTE

Even if no conservation program is undertaken, it is certain that the price mechanism will eventually bring about the adjustments which are necessary to shift consumption patterns away from the waste of electric energy. At some point in the future, old equipment will have been phased out and all classes of consumer will have adjusted their equipment stocks to account for the new electricity price level. This process will, in all likelihood, take more than 25 years to accomplish if no steps are taken to accelerate the shift.

INCREASING DEPENDENCE ON FOREIGN OIL REQUIRES IMMEDIATE RESPONSE ON CONSERVATION PROGRAMS

Dependence upon foreign sources of oil has grown from 13% of our consumption needs in 1950 to 37% in 1974; and in January the

Federal Energy Agency announced that for a brief period 50% of America's oil needs came from imports. This trend can be expected to continue in the near future. According to the Energy Research and Development Administration, U.S. production of oil will peak in the late 1980's and natural gas production in the U.S. will peak in the early 1980's.

In the longer run, programs to develop nuclear, coal and other suppliers of energy will reduce the energy gap between U.S. production and demand; until the U.S. energy supply strategy bears fruit, however, the risk of supply interruptions at the political whim of foreign nations will increase. This fact makes it imperative that, in the short run (until 1985), a demand strategy be developed to reduce the waste of energy. In states (like Connecticut) in the northeastern part of the United States where dependence on foreign oil is the highest, the ability to implement conservation programs to curb demand is critical to our development over the coming decade.

THE FORD ADMINISTRATION'S PROGRAM ON CONSERVATION IS HIGHER PRICES

The fact that the national administration has allocated only 1%–2% of its total energy budget to conservation indicates that embraced a price-mechanism strategy in this important area. In this light I take as a positive development the announcement on April 19, 1976 that ERDA will give "the highest priority" to conservation of energy, placing it on a par with the development of new energy supplies.

BECAUSE OF INTER-REGIONAL COMPETITION, CONSERVATION PROGRAMS FOR ELECTRIC POWER INDUSTRY MUST BE FEDERAL

The principle of the division of powers and responsibilities between the State and Federal government is important to successful regulation of public utility industries. In most instances, the geographic and economic uniqueness of each state makes it more efficient to regulate at the state level. The case of utilizing electric power rates as an instrument to promote conservation and economic efficiency is an exception. While it is my belief that implementation of programs to reinforce the price mechanism (such as those which will operate within the constraints set forth in Sections 203 and 204 of S3310) should be on a state by state basis, the operation of the competitive system makes it imperative that the Federal government set the standards for such programs. This is because those states which, on their own, undertake to implement time-of-day pricing or shift to a new principle of electricity pricing will be placed at a comparative disadvantage in the competition for new industry investment.

Although approximately 40% of economic activity is non-market oriented, the underpinning of our economic system is the competitive market. On a geographic basis, the economic system is comprised of many regions which compete with each other for new investments. The Atlantic region competes with Baltimore, Houston, etc. To be more specific, within each metropolitan region certain industries—those which export a good or service to the other regions and parts of the world—are the foundation upon which the rest of the regional economy is built. Two examples of such industries in the Hartford region are the insurance and aircraft industries. It is these "regional export" industries which bring dollars into the regional economy, which are the major source of tax payments to local and state government, and which are the first step in the income multiplier process supporting other industries and businesses which serve only the local market. An increase in the costs of operation for regional export industries, either directly, or indirectly through those businesses which supply them with inputs, will put the region at a comparative disadvantage in the competition to retain and attract this important type of industry.

SHORT RUN EFFECT OF ADOPTING CONSERVATION RATES FOR ELECTRIC POWER MAY BE TO INCREASE COSTS FOR "REGIONAL EXPORT" INDUSTRIES

If the adoption of electric rates on the basis of conservation, load management and/or full costing principles is to be nondiscriminatory, then it is probable that such rates must be adopted for all classes of customer. There is reason to believe that certain industries would bear a greater hardship than others, particularly in the short run, if the existing design were changed by regulatory agencies to conform with conservation, load management and/or full cost principles. Hence, even if regulators in a geographic jurisdiction favor the adoption of time-of-day or interruptible rate for electric consumers, they are effectively prevented from doing so because of the certainty that, undertaken unilaterally, these rate reforms will inhibit new investment in certain of those industries which are the lifeblood of regional economic development.

As outlined later in this testimony, the adoption of rates which lead to electric load leveling does have a long run beneficial effect for all ratepayers. National minimum standards for electric ratemaking, such as those found in S3310, are an essential context for regulatory reform at the state level. In this context, the design of rates which will promote the conservation of energy and efficiency of electric power generation can be implemented.

CRITICAL IS THE CHOICE OF THE STANDARD USED IN THE DESIGN OF RATES TO ACHIEVE CONSERVATION, AND EFFICIENCY IN ELECTRIC POWER GENERATION

Fair and reasonable rates gauged in past by marginal cost standard

The design of rate structures for public utility companies must have the result of not being unreasonably discriminatory between and among customer classes and must be fair in their impact upon (1) the public at large, (2) consumers of utility service and (3) upon utility investors. In the past, the standard of economic efficiency, drawn from traditional micro-economic theory, has been used as a measure of the "fairness" and "reasonableness" of rates. This economic reasoning, and the social welfare precepts following from it, was fully developed in the period from the late 1860's to the turn of the century. In essence, this complex system of thought can be summarized as follows: If the prices charged consumers are the result of perfect competition and, if perfect competition exists in all markets for products, services, and resources (including labor), then the prices which are thereby charged consumers will be equal to the full marginal costs of producing each good and service in the economy. Further, it can be demonstrated that, under these restrictive assumptions, the effect of full marginal cost pricing will be to bring about an optimum, the most economically efficient allocation of society's resources.

For regulated industries, the conclusion which flows from this theory is that, absent the forces of competition to bring about full marginal cost pricing of utility services, a regulatory result should be imposed whereupon, to the extent practicable, rate structures are designed to be reflective of full marginal costs.

Marginal cost standard is inappropriate for the design of rates

It is my belief that the full marginal cost standard for the design of electric utility rates is not only theoretically inappropriate for use in the design of rate structures for electric utility companies but, more important, it is virtually impossible to apply this standard under today's economic conditions. Further, I believe that, because of the fatal defects in the use of marginal cost as the standard for rate design, fair and reasonable rates can only be achieved for electric customers if an alternative standard is employed. Let me first address the defects in the use of full marginal costs as the standard for rate design and then the issue of an appropriate alternative standard.

Although a complete analysis of traditional micro-economic theory cannot be undertaken here, an exposition of some of the underlying assumptions will clearly indicate the obsolescence of the traditional theory. The important assumptions, with editorial comment, are as follows:

1. That a general equilibrium can be attained wherein all firms in all markets are producing at their optimum point of equilibrium. This assumption is critical because, once out of equilibrium, the interaction between supply and demand in individual markets has the result of altering the income distribution which, in turn alters demand which, in turn, alters supply offerings which, in turn alters the income distribution—and so on.

2. That there is no government sector in the economy. This assumption is necessary because the "pricing" of services and the levels of output in the government sector are determined according to non-market principles which conflict with the allocation of resources according to competitive market principles. To gauge the degree to which the relaxation of this assumption will impair the usefulness of marginal cost theory, Federal, State and local governments produced output equal to 39.5% of gross national product, annualized for the 3rd quarter of 1975.

3. That long-run marginal costs are not increasing nor decreasing. This restrictive assumption is needed to prevent regulated industries from making exorbitant profits (in the case of increasing lnog-run marginal costs), or incurring excessive losses. Most observers believe that the electric utility industry is presently operatng under conditions of increasing long-run marginal costs; thus, to price electricity equal to long-run marginal costs will virtually assure electric utility companies of huge excess profits (Not withstanding Section 203(d) of S3310).

4. That all firms and all markets for resources in the American economy are perfectly competitive. Translated in the real world, this means that there are no unions, no large firms which dominate markets; in essence, this assumption requires that the very fabric of the American economy be ignored when using the marginal cost standard for utility rate design. Suffice it to say that 500 firms now produce over 70% of all industrial output in our economy.

5. That private costs, internal to the firm, are the only costs which are appropriate in determining prices for goods and services. This assumption has two serious defects; first, even if all the other assumptions essential to the theory were descriptive of conditions in the real world, social costs of production such as pollution, income distortions of social welfare, cannot be reflected in market prices and, second, once the existence of the government sector is admitted into the theory, it is impossible for prices of goods and services produced in the private sector to reflect total economic costs of production. This is because federal subsidies, municipally financed industrial parks, tax differentials, government supported labor training, and the myraid government programs which alter private costs of production have the effect of "socializing" private costs. It is exactly this phenomenon which is produced when one state or municipality competes against another for new business and industry. Each government competitor is attempting to socialize a greater portion of private costs in order to attract and retain investment. In the

real world, the full cost to society of producing goods and services does not even approximate the prices paid by the consumer.

6. That monopoly, perfect competition and other industry organizations will tend to promote the same rate of technological change. Reduced to its simpliest form, this assumption requires that large firms and the complex of industries which supply them will not promote technological progress at a faster rate than small firms operating in competitive markets.

7. That income transfers; the many regulatory agencies at the local, state, and federal level; public support of research and development; and any other institutional deviation from general equilibrium conditions do not exist.

Rather than continue any further, I believe that it is clear that the theory of marginal cost pricing cannot be used as a standard for rate design in the electric utility industry. I am of the opinion that the concept of marginal cost pricing is being promoted at this time precisely because the long-run costs in electric power have turned upward within the last few years and, under these conditions, use of the concept in rate design will tend to promote excess profits for electric utility companies. I urge this Committee to strike from S3310 and reference to costs which might be construed as relating to the marginal cost standard of rate design.

FEDERAL STANDARDS NEEDED TO REQUIRE THAT STATES IMPLEMENT RATE FORMS WHICH PROMOTE CONSERVATION AND LOAD MANAGEMENT

The widespread adoption of peak load, time-of-use pricing promises to produce a regulatory result consistent with two goals found desirable by government agencies at the federal, state, and local levels. First, it is expected that this rate form will promote the conservation of petroleum and gas used in the production of electricity conservation of petroleum and gas used in the production of electricity and, second, it is expected that peakload rate forms will foster internal efficiencies for electric companies.

According to the theory of peak load, time-of-use pricing, the consumer will shift consumption of electricity from on-peak to off-peak periods if sufficient price and technological incentives exist in the marketplace. This levels the load for the electric power supplier, producing the following effects:

1. The percentage of base load units in the generation mix increases. Because base load units have more efficient heat rates than intermediate cycling or peak-load units and, because intermediate cycling units tend to burn oil or gas as fuel, load leveling reduces the amount of these fossil fuels burned per KWH. The conservation effect of load leveling will be even more pronounced as the percentage of nuclear base load units continues to increase over time.

2. All fossil units on the generation system will require less minute-to-minute incremental control and can operate a greater percentage of the time at optimum efficiencies. This too has both a conservation effect and an efficiency effect on system operation.

3. Those fossil units which operate at nearly constant loads, because of the increased off-peak load and the reduced peak load, have reduced thermal and physical stresses and corresponding reductions in maintenance costs.

4. Certain planning and management efficiencies result from a more stable load pattern.

In light of the above and, taking into consideration that these conservation and efficiency effects increase in the long run and, considering that there is likelihood that peak load, time-of-use rate forms will not be implemented absent federal constraints which require state regulatory agencies to implement such rate forms, Section 204 of S3310 will have a constructive effect on the state public utility regulatory process.

RESOLUTION ON THE RELIGIOUS SITUATION IN CZECHOSLOVAKIA

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. EILBERG. Mr. Speaker, the Conference of Czech hierarchy, clergy and laymen of most of the Catholic institutions and organizations in America and others elsewhere, held under presidency by the Most Reverend John L. Morkovsky, Bishop of Galveston-Houston in Texas, on Monday, August 9 at Chestnut Hill College, Philadelphia, deliberated concerning the tragic religious situation in present-day Czechoslovakia. They have decided to call this critical situation to the attention of the authorities of free nations with the urgent request that they extend their help to restore religious freedom in Czechoslovakia, to stop the blatant violation of precious human rights, which should not and cannot longer be condoned.

The following resolution of protest and indignation at these blatant violations by the Czechoslovak Communist regime, is aimed at awakening the conscience of the world and at eliciting the sympathy and solidarity with those suffering much under the yoke of Communism. It reads:

RESOLUTION

The people of Czechoslovakia call you from Philadelphia in the United States because they cannot call from Prague in Czechoslovakia. They call for your attention from the 41st International Eucharistic Congress in Philadelphia, held from August 1 to 8, 1976.

Representatives of Czechoslovak Catholics gathered in Philadelphia wish to thank the Almighty for the freedom enjoyed by the people of the United States of America and they pray that the Czechoslovak people may likewise participate in its benefits. Almost 200,000 Czechoslovak citizens of a total of some 15 million were obliged to leave their native land because the biggest tyranny of modern history has since 1948 engulfed Czechoslovakia. They wish to thank God that a significant portion of the population of Czechoslovak descent living in the United States (1% and numbering more than 2 million of a total of American citizenry well over 200 million) has been saved from a similar fate.

The principal conditions of a free development of the human personality are the freedoms of thought, of conscience and of religion. These basic human rights have in Czechoslovakia the value alone of a historical document, because they exist only on paper of the Helsinki Conference of August 1, 1975 (Art. VII) and of the Czechoslovak Constitution of July 11, 1960 (Art. 32). Yet, the Concluding Act of the Helsinki Conference was signed by thirty-five nations, including as well the President of the United States of America, and the President of the Czechoslovak Socialist Republic.

Freedom of religion requires for its existence not alone the inner freedom of thought and conviction, but likewise the freedom of public expression of religion. Man is not only a thinking but also an acting creature who wishes to express himself by participating in religious acts. In Czechoslovakia, however, any form of participation in religious liturgy and dissemination of religion by word is persecuted as a foreign and subversive ideology which, according to the Czechoslovak Constitution, contradicts the state ideology of Marxism-Leninism (Art. 16).

The Czechoslovak ecclesiastical hierarchy is a burning problem of Church-State relations. The Communist regime in Prague perfected the absolutist centralized power which two hundred years ago culminated in the absolute monarchy in Vienna. As once the Austrian Emperor Joseph II (1780–1790) in Vienna, so also the present absolutist government in Prague considers bishops to be state officials and usurps the right to appoint an obedient ecclesiastical hierarchy. The parallel of the 200-year anniversary is this: in the United States—freedom—in Czechoslovakia—tyranny. Emperor Joseph II, however, was enough of an enlightened monarch not to force the subjugated bishops to preach atheism. Less enlightened and candid are the rulers of today's Czechoslovak Communist regime, who by law (October 14, 1949), established the Government Bureau for Church Affairs with such a wide jurisdiction as was promulgated by Cabinet Decree (November 4, 1949) as to make the Church a slave of an atheistic State. The monstrosity of the Penal Code of 1950 and of the Administrative Penal Code, issued by the Czechoslovak Ministerium of the Interior on August 1, 1950, by which the Communist State terrorizes the Church, seems to exceed the cruelty of infamous tyrants of the past. It is urgent that, in the name of human decency, these laws be abrogated without any delay.

The Czechoslovak ecclesiastical hierarchy was liquidated in the staged trials of the early 1950s. In November, 1950, in Prague, nine church dignitaries were tried, of whom Abbot Dr. Stanislav Jarolimek was sentenced to 20 years, Abbot Jan Opasek to life imprisonment, and Bishop S. Zela to 25 years in prison, to name but a few. In January 1951 in Bratislava, Bishops Dr. M. Buzalka and P. Gojdic were sentenced to life, and Bishop Jan Vojtassak to 24 years in prison. In 1951 the dissolution of the church organization was roughly achieved and the Church was separated from its center in Rome.

In Czechoslovakia, there were two Roman Catholic cardinals who went through both Nazi and Communist prisons; after their deaths the episcopal sees remained vacant. Cardinal Joseph Beran (Dec. 29, 1888–May 17, 1969) was the last Archbishop in Czechoslovakia. Cardinal Stephen Trochta (March 26, 1905–April 6, 1974) was the last residing bishop in Bohemia and Moravia.

All seven episcopates in Czech Lands are vacant. Two dioceses are administered by Titular Bishops-Apostolic Administrators (Praha, Olomouc), and five dioceses (Litoměrice, Hradec Králové, Ceské Budějovice, Brno, Těšin) administered by Capitular Vicars appointed under government pressure. In Slovakia are seven episcopates: two are occupied (Nitra, Banská Bystrica); one administered by a Titular Bishop-Apostolic Administrator (Trnava); and four dioceses (Roznava, Spis, Kosice, Presov) are also vacant.

The Catholic Church in Czechoslovakia has been a most powerful mainstay of the thousand-year old Christian tradition. Before World War II, the Roman Catholic Church had 10,831,669 (73.54%) and the Greek-Catholic Church 585,041 (3.97%) members out of a total of 14,729,536 inhabitants of the country. After the Coup d'Etat (February 25, 1948) no official statistical data about religion were published, but these results of the persecution of Church and religion are known:

Approximately 8,000 Roman Catholic priests were in Czechoslovakia before World War II. There are now fewer than half in the Church administration. Being a priest is a hazardous and dangerous profession. Many clergy are in prison because they fought atheism from the pulpit or disseminated religious literature. Some are seriously ill without medical attendance (Rev. J. Studeny); some were executed during the forced collectivization (Babice, Morava, 1951) or beaten to death in prison (Rev. J. Toufar).

Liquidation of the Church organization is still the main goal of the struggle in which not the old but other equally effective methods of force are being used. Priests are removed from the ecclesiastical administration and transferred into production or prematurely retired, or, on the other hand, state approval for their priestly profession is denied. At the end of 1974, more than 500 priests were denied state approval, forbidden to pursue their ecclesiastical profession, and even to say Mass in private. More than 1600 Roman Catholic parishes of a total of 4600 remained vacant; many churches were closed or turned into museums or warehouses. It is not an infrequent case that one priest is in charge of six or more vacant parishes in today's cultural Czechoslovakia, as in uncivilized countries elsewhere in the world.

Monastic life was illegally liquidated (in the night of April 14–15, 1950) when police invaded the monasteries and drove the arrested monks into concentration camps. This action, appropriately called "Night and Fog" (according to the *London Catholic Herald*), hit all the monasteries: 226 male monasteries with 2,221 monks, of whom 881 were still alive after the Prague Spring in 1970, and 720 convents for women, with 10,448 religious, of whom 3,247 died in concentration camps.

The Communist regime in Czechoslovakia liquidated all monasteries and confiscated their property, while the absolutist regime of Joseph II had abolished approximately half the monasteries and used their property to establish a Religious Foundation.

According to the Czechoslovak Constitution, citizens have the right to education (Art. 14), but this constitutionally guaranteed right does not cover catholic education in theological seminaries. The strict *numerus clausus* limits Catholic access to theological education in such a way that 90% of the applicants were rejected. In the Czech Lands, there is one Theology Faculty in the city of Litomerice (since 1953) and in the school year of 1976 only 20 students of the 200 petitioners were accepted—not in accordance with the recommendation of the hierachy but of that of the Communist Party and Police. In 1950 the Communist regime abolished the Theological Faculties in Prague and Olomouc, where even the Emperor Joseph II had once founded General Seminaries.

Schools in Czechoslovakia today are the center of anti-religious and atheistic propaganda which is spread freely in text books. On the other hand, dissemination of religion is punished just as the dissemination of forbidden literature. Religious education contradicts the state doctrine of Marxism-Leninism. Therefore, it is not permitted. Only exceptionally is religious instruction allowed in some schools, for one hour in two weeks or in a month, but this is extremely difficult to get. For this parents face retaliatory measures of social and economic pressure. The children are, as a rule, excluded from higher education. But a small fraction (2–4%) of those attending grammar or high schools have the courage to apply for religious instruction, while the greater majority yields to the religious terror wrought by the Communist regime.

Because the faithful are second-class citizens, the constitutional principle of equality of citizens (Art. 20) is violated. Believers live under constant existential terror which hits hardest the clergy. The priest is isloated even in the church where he by himself carries two small cans since without wine and water he cannot offer mass even in an empty church. In deserted parishes, the chilly autumnal sleet and the winter weather of blizzard and icy wind within the damp walls of an empty church, he is sometimes alone. Without a single believer, the priest makes a sacrifice, next-to-the-last step to sanctity.

Considering these harassing measures of the Prague regime, we ask, therefore: that the actual situation, concealed by the Communist Government in Czechoslovakia, be made properly known to the public of the United States of America and of all the free world; that the Governments of the free countries, when dealing with Czechoslovakia, be aware of the violations of basic human rights; and that they persist in reminding their Communist partners of these facts at every suitable occasion; that the public of all free countries, especially Christian Churches and their leaders, help the oppressed and endangered Christianity in Czechoslovakia.

We appeal to the Holy See also, in her laudable effort to help the Church in Czechoslovakia, not to confirm the ecclesiastical structure insofar only as it helps to build up the authentic Christianity in human hearts.

We are asking finally all who believe in God to help by their prayers those who are endangered by the militant and intolerant atheism of the totalitarian Czechoslovak regime.

The more than a thousand-year-old Christian tradition cannot be buried even by today's Czechoslovak Communist regime. The eternally young Christian tradition has survived revolutionary changes of history and was at the grave of great despots and tyrants. Since the arrival of the Slavonic missionaries, Saints Cyril and Methodius in Great Moravia (863), the Czech and Slovak Lands have contributed greatly to the world of culture, and their skies are lighted by many stars of national saints of the past.

Reflecting on this glorious Christian past, one is impelled to highlight Karl Marx's *Communist Manifesto* of 1848 with our call: Christians of all lands unite! Help to liberate from hate and assist the restoration of fundamental civil and religious freedom. Help in our struggle against the terror of communism and the present equal rights for all Catholics. Tolerate not that Catholics and other religious bodies and Churches in Czechoslovakia be but second-class citizens because they never submitted to the government doctrine of Marxism-Leninism. Help to gain freedom for the people who suffer under communism's yoke. Protect the religious, cultural and national freedom, which postulate for their existence not only the internal freedom of thought and persuasion, but also freedom for its public cultural and religious expression. Help the people of Czechoslovakia to kindle a spark of hope for the emergence of a Czech free man who well may be forerunner of a "free religious man." In the euphoria generated by the Bicentennial of the U.S.A., it is easy to forget the sobering fact that one-third of the world, and well over half the world's population, suffer under the crushing yoke of communist tyranny. This should be a salutary warning to all. Help the people of Czechoslovakia in pursuit of happiness in freedom: cultural freedom and religious, that they may enjoy the dignity of man created in the image of God.

DOVIE SWEET'S CLOSING CAREER

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. STOKES. Mr. Speaker, I have on many occasions brought the achievements of different Clevelanders to the attention of my colleagues in this House. It is a special treat for me to bring to your attention and to the attention of my colleagues, the retirement of Mrs. Dovie Sweet from the Cleveland Board of Education school system. Mrs. Sweet retires from an active teaching position in the Cleveland public schools after 26 years in the field.

Mr. Speaker, I have known this dedicated and highly qualified woman for many years. While she has been an outstanding teacher, she has also dedicated many years to civic, social, and political activities in our community. Mrs. Sweet has been one of the NAACP's most active and ardent supporters.

Mr. Speaker, those of us who know Dovie Sweet cannot imagine her complete retirement. She will probably be even more involved in her community now that she is not restricted to her teaching activities in the schools.

Mr. Speaker, I submit for the RECORD a recent article which appeared in the Cleveland Call and Post regarding Mrs. Dovie Sweet and I call to the attention of my colleagues her beautiful poem entitled: "My Closing Career."

Mr. Speaker, I am sure that you and all of my colleagues in the U.S. House of Representatives join with me in congratulating Mrs. Sweet for a job well done.

DOVIE SWEET RETIRES FROM 26-YEAR TEACHING CAREER

After 26 years of teaching with the Cleveland Board of Education School System, Dovie D. Sweet announced her retirement from the field of teaching at the monthly faculty meeting of Harvey Rice Elementary School, E. 115th & Buckeye, on May 12.

With no regrets, Mrs. Sweet stated she had paid her dues and done her work. She said she would miss her children at school but felt confident that someone younger would replace her and give the students the love, patience, and understanding they need.

Many of Mrs. Sweet's fellow teachers were tearful as they congratulated her and extended regrets over the school's loss.

Alfred Aiello, principal of Harvey Rice Elementary School, commented that he envied her but added that she deserved a break from many years of tireless and sometimes thankless service.

Aiello remarked that Mrs. Sweet was still youthful and had much to give.

In keeping with her involved and concerned nature, Mrs. Sweet plans to notify by personal letters the parents of her students, who do not as yet know of her retirement.

Dovie states that she is leaving the field of teaching but not the field of education. "I'll be some place getting education over in a different way," she says.

Dovie Sweet wrote the following poem, "My Closing Career" to sum up her sentiments about the career she chose at age six.

MY CLOSING CAREER

(By Dovie D. Sweet)

I've come to my conclusion
In the field of education;
I hope that I have made it felt
Throughout the entire nation.

By training adults, boys and girls
To read, write and count;
To find out things for themselves
And I am sure it mounts.

I said when I was six years old
Just what I wanted to be:
That was my first day in school
And the teaching rubbed off on me.

I wanted to train boys and girls
To spell, and read, and write,
To count and play together
Being sure there were no fights.

I said to Mamma when I went home
I want to be a teacher;
I want to help the boys and girls
Who all would be our future.

My mother said, just study hard
Do what the teacher says;

Regardless of the other crowd
Get A's at the end of the day.

I put forth every effort
To do my very best in school;
I studied all the books I had
I obeyed all the rules

And now the time has come for me
To lay my life's work down;
I feel that I should make a place
For some of our young.

RADIO COMMENTARY ON ABORTION

HON. M. CALDWELL BUTLER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 2, 1976

Mr. BUTLER. Mr. Speaker, with reference to the recent debate on the Hyde amendment to the Labor-HEW appropriations bill, I call attention to the following WTOP commentary by James J. Kilpatrick of August 30:

WTOP COMMENTARY

(By James J. Kilpatrick)

There is something especially cruel, pointless, and indefensible in the position taken by the House of Representatives in the latest controversy over abortion. The House is insisting upon an amendment to the pending $57 billion appropriations bill for HEW. The amendment would prohibit the expenditure of Medicaid funds for the purpose of abortions. The Senate has refused to go along.

If the effect of this amendment were absolutely to prohibit abortions anywhere, any time, by anybody, for anybody, perhaps it would make some sense. But Congress has no such power to define abortion as a crime and to impose a sweeping ban. That is the business of the separate States.

What we have here is a misguided proposal to make therapeutic abortions more difficult for the very class of women least able to fend for themselves—the poor women on welfare. The amendment won't prevent them from getting abortions. It will merely drive them into the hands of the underground abortion mills; or it will foster the birth of more unwanted children who will form a new generation of supplicants on the public dole.

No useful public purpose will be served by the House amendment. The money that might be saved will be spent, now or later in aid to families with dependent children. Middle-income and upper-income women, able to afford abortions, will get them. Only the poor will be denied the safety and security of proper medical care. Maybe this is good politics—I doubt it—but it is a mean-spirited act. I hope the House retreats. I'm James J. Kilpatrick.

SENATE—*Tuesday, September 7, 1976*

(Legislative day of Friday, August 27, 1976)

The Senate met at 12 o'clock noon, on the expiration of the recess, and was called to order by Hon. RICHARD STONE, a Senator from the State of Florida.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, God of all history, whose goodness and mercy has followed us all our days, and whose love will not let us go, let the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our Strength and our Redeemer.

Renew our faith in the victory of Thy purposes. Bring us to a new and simple trust in Thee. Show us the way to directness, to clarity, to simplicity. Deliver us from confused thinking and ambiguous speech. Nourish our minds by the grace and truth of Thy Word. Hold us securely to the eternal verities which make a people great and good and strong.

We pray in the name of that One whose life is the light of the world. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 7, 1976.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. RICHARD STONE, a Senator from the State of Florida, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. STONE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Wednesday, September 1, 1976, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS

COMMITTEE ON FOREIGN RELATIONS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet today to consider ambassadorial nominations and S. 3309, authorizing distribution of a USIS film on George Washington, H.R. 14681, investment insurance and guarantees issued by OPIC, and H.R. 14973, the Tiajuana flood control project.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet on September 8 to consider nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be authorized to meet on September 8, to consider bills on which final action is assured this Congress.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE ON AFRICAN AFFAIRS OF THE COMMITTEE ON FOREIGN RELATIONS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on African Affairs of the Committee on Foreign Relations be authorized to meet on September 8 and 9 to consider the role of U.S. corporations in South Africa.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE ON LABOR OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Labor of the Committee on Labor and Public Welfare be authorized to meet on September 8 to consider railroad retirement.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE ON CHILDREN AND YOUTH OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Children and Youth of the Committee on Labor and Public Welfare be authorized to meet on September 8 and 9 concerning children in foster care.

The ACTING PRESIDENT pro tempore. Without objection, is it so ordered.

SUBCOMMITTEE ON MULTINATIONAL CORPORATIONS OF THE COMMITTEE ON FOREIGN RELATIONS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Multinational Corporations of the Committee on Foreign Relations be authorized to meet on September 9 and 10 to continue hearings on the Grumman Corp.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REQUEST FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO MEET ON SEPTEMBER 14

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be authorized to meet on September 14 to consider black lung legislation.

Mr. GRIFFIN. Mr. President, on behalf of several other Senators, I respectfully object.

The ACTING PRESIDENT pro tempore. Objection is heard.